



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

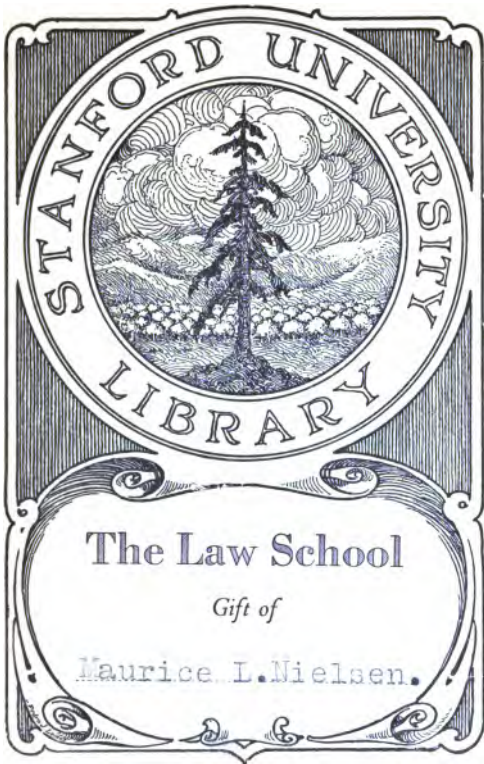
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

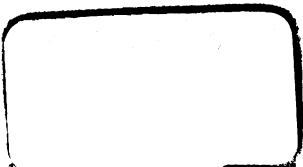
Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



The Law School

Gift of

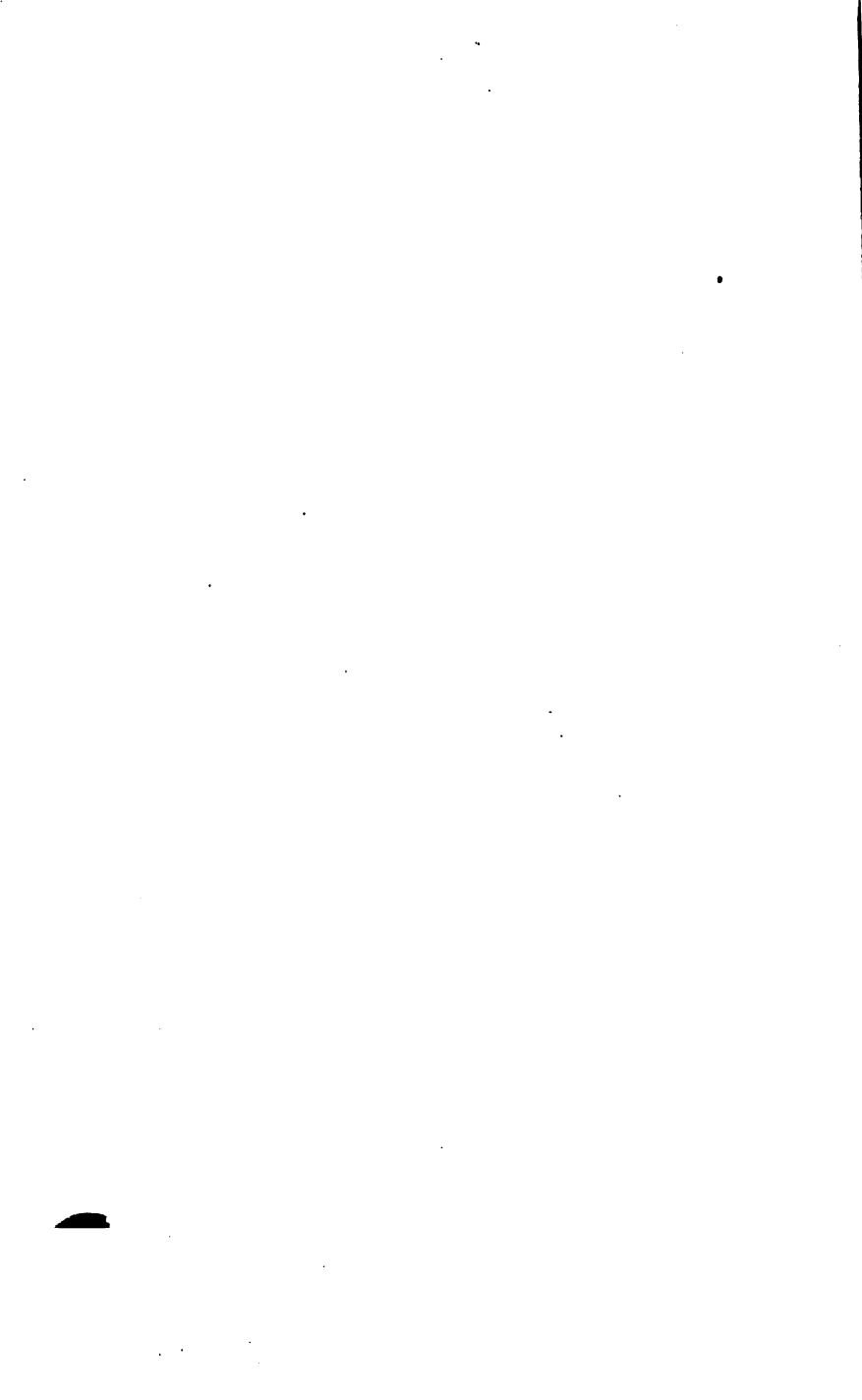
Maurice L. Nielsen.

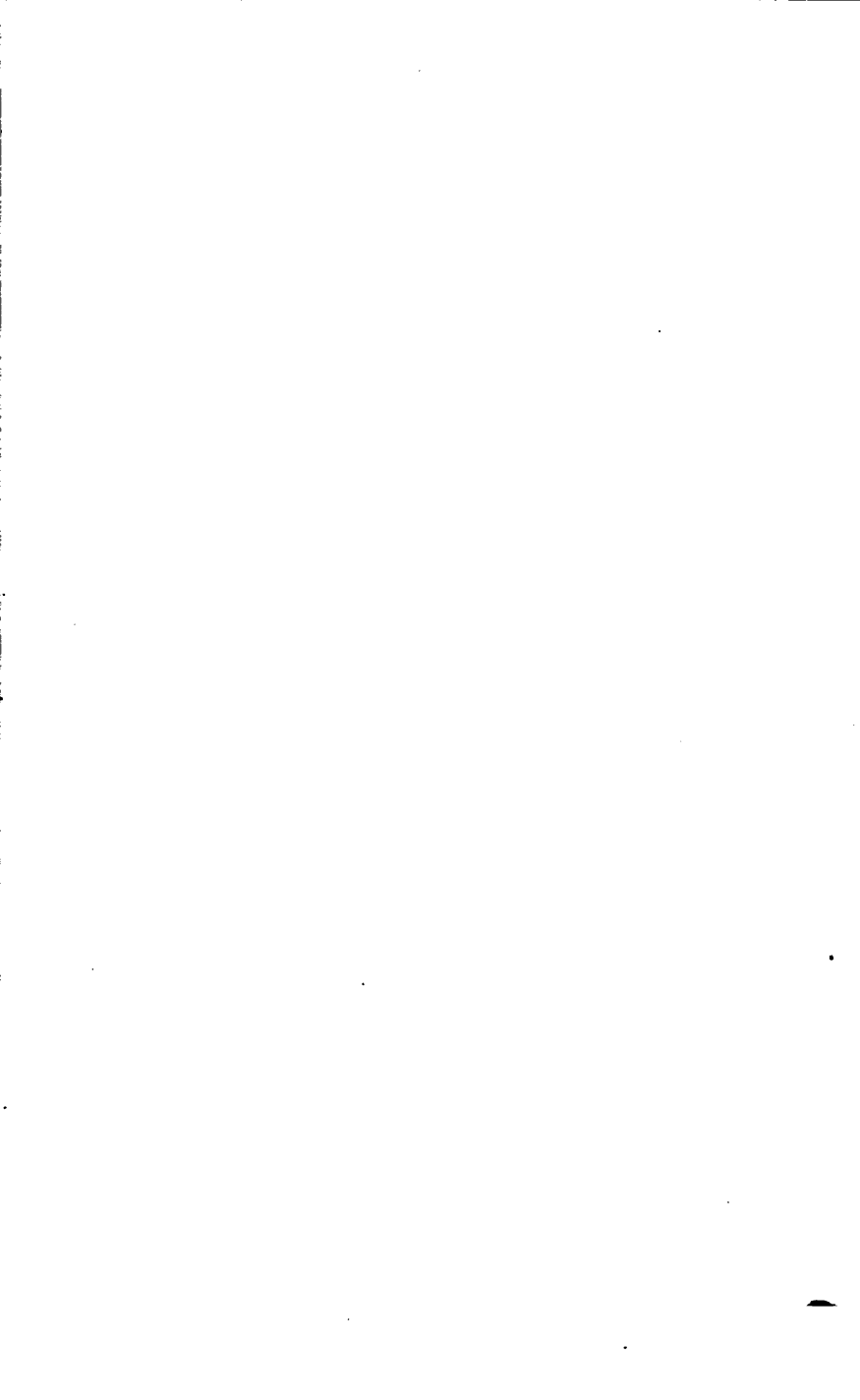


Wacziarg Collection











ACTS AND RESOLVES

E. H. White

PASSED BY THE

Full session,

1850-51 52 second session

LEGISLATURE OF WISCONSIN,

January 1850

IN THE YEAR

1850:

TOGETHER WITH MEMORIALS TO CONGRESS.

Published by Authority.

MADISON.

DAVID T. DICKSON, STATE PRINTER.

.....
1850.

96.

366527

GENERAL AND SPECIAL

STATUTES

OF THE

STATE OF WISCONSIN.

1850.

An Act to appropriate to William R. Smith the sum therein named

Chap. 1.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. That there is hereby appropriated, to be paid out of any funds in the State Treasury not otherwise appropriated, to William R. Smith, one hundred and thirty-seven dollars and fifty cents, in full of eleven months salary as Adjutant General of the Militia of the State, due January 1st, 1850, at the rate of one hundred and fifty dollars per annum. W. R. Smith.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 21, 1850.

NELSON DEWEY.

An act to appropriate money to pay the postage of the late Secretary of State.

Chap. 2.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. There is hereby appropriated to James Morrison postmaster at Madison, forty-two dollars and ninety-one cents out of any money in the State Treasury, being the amount of postage due him from the late Secretary of State on public documents. James Morrison.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, January 21, 1850.

NELSON DEWEY.

Chap. 3.

An Act for the relief of the County of Iowa.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Arrearage taxes, &c., remitted.

SECTION 1. The Secretary of State is hereby authorized and required, on his being furnished with satisfactory proof by the Supervisors of the county of Iowa, to certify the amount now standing against said county for arrearage of taxes, that has resulted from double assessment and taxation of property in said county, and the State Treasurer is hereby required to credit the amount so certified to the county of Iowa.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 21, 1850.

NELSON DEWEY.

Chap. 4.

An Act to provide for the assessment and collection of the taxes for the year 1849, in the town of Koskonong.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

To appoint assessors.

SECTION 1. The supervisors of the town of Koskonong, in the county of Jefferson, are hereby authorized to appoint, by warrant under their hands, any number of persons not exceeding five, to make an assessment of the taxable property in said town, who shall, previous to entering upon their duties, severally take and subscribe the oath prescribed by law to be taken and subscribed by town assessors.

Assessment to be made.

SECTION 2. The persons so appointed and qualified, shall thereupon immediately proceed to ascertain and assess the value of the taxable property in said town, and complete, review, correct, and certify the assessment roll thereof, in the manner prescribed by an act to provide for the assessment and collection of taxes, passed at the January session of the legislature of the State of Wisconsin in 1849, and shall deliver the same to the town clerk of said town.

To be valid.

SECTION 3. The said assessment roll, when completed and delivered as aforesaid, shall be of equal validity to, and shall have the same force and effect to all intents and purposes, of an assessment roll of said town, made, corrected and delivered, to the town clerk thereof, within the times and in the manner prescribed by said act.

When to be completed.

SECTION 4. The time for the completion and review of said roll shall be the eighteenth day of February, eighteen hundred and fifty, at ten o'clock, A. M. The time for the delivery of a copy of the assessment roll, with the warrant annexed, to the treasurer of said town, is hereby extended to the twenty-fifth day of February, eighteen hundred and fifty, and the time for the pay-

ment of the state and county taxes apportioned to said town, is extended to the twenty-fifth day of March, eighteen hundred and fifty, and the town clerk and treasurer of said town, are hereby invested with all the powers necessary by law, for making out and collecting the town, county, and state taxes within the time above specified. When taxes to be paid.

SECTION 5. This act shall take effect and be in force from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 22, 1850.

NELSON DEWEY.

An act to change the terms of the Circuit Courts herein named.

Chap. 5.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The terms of the Circuit Court in the third judicial circuit, shall be holden at the times and places following, that is to say: Third Circuit.

In the county of Portage, on the last Monday in February, and the first Monday in September in each year.

In the county of Sauk, on the first Monday in March, and the second Monday in September in each year.

In the county of Marquette, on the second Monday in March, and the third Monday in September in each year.

In the county of Columbia, on the third Monday in March, and the fourth Monday in September in each year,

In the county of Dodge, on the fourth Monday of March, and the first Monday in October in each year.

In the county of Washington, on the second Monday in April, and third Monday in October in each year.

SECTION 2. That the terms of the Circuit Court in the second judicial circuit, in the following named counties, shall be holden at the times and places following, that is to say: Second Circuit.

In the county of Milwaukee, on the second Monday in February, the first Monday in May, and the third Monday in September in each year.

In the county of Dane, on the first Wednesday after the second Monday in April, and the second Monday in October in each year.

SECTION 3. The persons drawn to serve as petit jurors for the several Circuit Courts in the third and fourth judicial circuits, shall be summoned to appear before said courts, at or before the hour of eleven o'clock, A. M. on the first day of the terms thereof. Petit jurors to be summoned.

SECTION 4. All writs, summons, indictments, recognizances, and other proceedings, made returnable by any law of this state now in force to the terms of the several circuit courts mentioned Writs &c., when returnable.

in this act, shall be returnable to the terms of said courts as the same are hereinbefore fixed; and all adjournments, appearances, continuances, motions, and notices of any proceedings in said courts, made or taken to any term of a date subsequent to the term when this act shall take effect, shall be held to be made and taken for the time hereinbefore fixed for holding the terms of said courts.

When act to
take effect.

SECTION 5. This act shall take effect and be in force from and after its publication, and all laws now in force incompatible with the provisions hereof, are hereby repealed. The Secretary of State is hereby directed to cause this act to be published in some newspaper printed in Madison, at as early a day as possible.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 24, 1800.

NELSON DEWEY.

Chap. 6. An Act to change the name of the village of Minersville, in Iowa county.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Name chang-
ed.

SECTION 1. That the village of Minersville, situate on the south-west quarter of section twenty-seven, township six, north of range three east of the fourth principal meridian, as surveyed, laid out, and recorded in the county of Iowa, shall hereafter be called and known by the name of "Maddin's addition to the village of Dodgeville."

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 24th, 1850.

NELSON DEWEY,

Chap. 7.

An Act relative to annual reports of state officers and others.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

When officers,
&c., to report.

SECTION 1. That the several state officers, the boards of public works, and the regents of the University, who are now required by law to report annually to the legislature, be, and they are hereby required to report through the executive.

Sec. 2. All such reports shall be presented to the governor on or before the first Monday of January in each year.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 24th, 1850.

NELSON DEWEY.

An Act to lay out a state road from the town of Franklin, in the county of Iowa, to town ten, range five, in the county of Crawford.

Chap. 8.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That John Combs, Burrill, McIney, and James D. Gray be and are hereby appointed commissioners to lay out and establish a state road beginning at Franklin, in the county of Iowa, running on the nearest and best ground to Comb's ferry, on the Wisconsin, thence on the best and most practicable route to Gay's mill on the Kickapoo, thence on the nearest and best route to intersect with the Black river road, leading from Prairie du Chien to the Falls of Black River, on section 25, in town 10, north, range 5, west.

Commissioners appointed.

SEC. 2. The commissioners appointed under the provisions of this act, shall, upon the performance of the work, be entitled to such compensation for their services, as the supervisors of the counties where such services are performed, shall deem just and proper: *Provided*, That neither of said counties shall be required to pay for the expense of survey and laying out of said road more than fifty dollars.

Compensation, &c.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 24th, 1850.

NELSON DEWEY.

An Act to appropriate to Peter Burns the sum therein named.

Chap. 10.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated, to be paid out of any money in the treasury, to Peter Burns, the sum of four hun-

Peter Burns.

dred and twenty dollars, in full for services as commissioner in locating state lands.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved January 26th, 1850.

NELSON DEWEY.

Chap. 11: An Act to amend an act entitled an act to incorporate the village of Sheboygan, and to vacate a part of the plat of said village.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Boundary of village.

SECTION 1. The limits of said village shall be so extended as to include all piers or wharves extending into Lake Michigan in said village; and the trustees thereof shall have and may exercise the power to pass ordinances or by-laws regulating the construction of all piers, wharves, or docks, in said village, and to prescribe and regulate the prices to be charged for pierage, wharfage, or dockage thereon; and all streets and alleys of said village, north of the north line of Huron street, west of the west line of Twelfth street, and west of the east line of Spruce street, and south of the south line of Kentucky street, are hereby declared vacated and discontinued; [*Provided, This act*] shall not be construed to alter or change the corporate limits of said village.

Compensation and duty of treasurer.

SEC. 2. The annual compensation of the treasurer of said village shall not exceed five per cent. of the tax levied upon the property of the same, to be paid quarterly from the treasury, and he shall pay all moneys which may be collected by virtue of any law, or which may arise from any source, and come into his hands by virtue of his office, into the treasury of said corporation.

SEC. 3. The trustees of said village shall receive no compensation for their services.

SEC. 4. The compensation of the clerk of said village shall not exceed fifty dollars per annum.

SEC. 5. This act shall take effect from and after its passage.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,
Lt. Governor and President of the Senate:

Approved January 26th, 1850.

NELSON DEWEY.

Chap. 12. An act for the relief of "Union School District No. 1," of the town of Beloit, in the county of Rock.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Addition to district.

SECTION 1. All that part of section number thirty-five in the town of Beloit, in the county of Rock, lying east of Rock River, is hereby declared to be a part of and to belong to Union school district number one of the town of Beloit, and for all purposes, shall be deemed to have been a part of said district from the date of the formation thereof.

Acts as a. legalized.

SEC. 2. No act of said school district and no proceedings of any school meeting held in and for said district, shall be deemed invalid or illegal from the fact that the inhabitants of that portion of said section number thirty-five, lying east of Rock River, in said town participated in such act or in the proceedings of such meeting.

Elections declared legal.

SEC. 3. The election of officers for said school district at the last annual meeting thereof shall not be deemed illegal, from the fact that any person or persons elected as a member or members of the district board at such meeting resided out of the then limits of said district, and upon that portion of said section number thirty-five, specified in the first section of this act; nor for that reason shall any act of such officer or officers be deemed illegal.

May collect taxes, &c.

SEC. 4. Said school district [is] are hereby authorized to levy and collect all such taxes as have been voted at any regular meeting of such district, and for the purpose of such levy all that portion of said section number thirty-five, described in the first section of this act, shall be deemed and taken to be a part of said school district.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 28, 1850.

NELSON DEWEY.

An act relating to the assessment and collection of taxes in the county of Milwaukee.

Chap. 13.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

When bound to meet.

SECTION 1. The annual meeting of the board of supervisors of the county of Milwaukee, shall be held in the city of Milwaukee at such place as the board may designate, on the first Monday of September, instead of "the Tuesday next succeeding the general election in each year."

Month changed.

SEC. 2. The word September in section thirty-one, title five, chapter fifteen of the Revised Statutes, so far only as the same relates and is applicable to the county of Milwaukee is hereby changed to August, and shall be so read and construed in said county.

SEC. 3. The word October in section thirty-four, title five, ^{Month changed.} chapter fifteen of the Revised Statutes, so far only as the same relates and is applicable to the county of Milwaukee is hereby changed to September, and shall be so read and construed in said county.

SEC. 4. This act shall take effect and be in force from and after its passage.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, January 28, 1850.

NELSON DEWEY.

An act for the relief of Calumet county.

Chap. 14.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The state treasurer is hereby required to credit the county of Calumet with the sum of sixty-four dollars and forty-eight cents, being the amount of state tax levied upon lands owned by the Stockbridge Indians in said county, during the years 1845, 1846, and 1847. To credit.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, January 28, 1850.

NELSON DEWEY.

An act to appropriate to Romanzo B. Rice the sum therein named.

Chap. 15.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. That there is hereby appropriated to Romanzo B. Rice, seven hundred and fourteen dollars, in full for the keeping of state prisoners to January 1st, 1850, to wit: David Bonham, John Myers, Joseph Palmer, William White, James Sumgean, Stephen Crist, and John Guilas, morphine for Palmer, to be paid out of any funds in the state treasury not otherwise appropriated. R. B. Rice.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

Chap. 16. An act to appropriate to James P. Greves the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

J. P. Greves. SECTION 1. That there is hereby appropriated to James P. Greves eight dollars, for medical attendance on Palmer and Bonham, state prisoners, up to July 13, 1849, to be paid out of any funds in the state treasury not otherwise appropriated.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

An act to appropriate to J. & W. H. Cary the sum therein named.

Chap. 17.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

J. & W. H. Cary. SECTION 1. That there is hereby appropriated to J. & W. H. Cary eighty-six dollars and forty-three cents, for clothing furnished state prisoners up to November 5th, 1849, to be paid out of any funds in the state treasury not otherwise appropriated.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

An act to appropriate to Jackson Richardson the sum therein named.

Chap. 18.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

J. Richardson. SECTION 1. That there is hereby appropriated to Jackson Richardson two hundred and twenty-six dollars and fifty cents, in full for support of state prisoners to November 10, 1849, to wit: David J. Odel and Levi Bates, to be paid out of any funds in the state treasury not otherwise appropriated.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

An act to appropriate to L. T. Rice the sum therein named.

Chap. 19.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to L. T. Rice two hundred and ten dollars, for guarding state prisoners up to L. T. Rice. October 31, 1849, to be paid out of any funds in the state treasury not otherwise appropriated.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

An act to appropriate to Allen W. Hatch the sum therein named.

Chap. 20.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to Allen W. Hatch twenty-eight dollars and ninety-five cents, for medicines for A. W. Hatch. state prisoners up to November 10, 1849, to be paid out of any funds in the state treasury not otherwise appropriated.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, January 29, 1850.

NELSON DEWEY.

An act to change the name of Charles Depue, and constitute him the adopted son of Joseph G. and Emma D. Knapp.

Chap. 21.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Charles Depue, of the town of Madison, in the county of Dane, is hereby changed to that of Charles Name changed. Depue Knapp, and by the last mentioned name he shall be hereafter known and recognized.

SEC. 2. The said Charles Depue Knapp shall be known as the adopted son and heir of Joseph Gillett Knapp and his wife Emma D. Knapp, of the said town of Madison, and entitled to all the Made heir at law. rights and privileges, and subject to all the duties of inheritance, support, and maintainance as fully and effectually, and in the same manner as he might or should do, if he were the legitimate child of the said Joseph G. and Emma D. Knapp.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. REALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

An act to provide for a final settlement of the location of the county seat of the county of LaFayette.

Chap. 23.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Authorized to make statement of votes cast, &c.

SECTION 1. It shall and may be lawful for any elector of the county of LaFayette to make a case, or statement, in the nature of a relation, of the votes cast at the general annual election in said county, in the year of our Lord one thousand eight hundred and forty-eight, upon the question of the location of the county seat of the said county of LaFayette, under and by virtue of the act of the legislature of the late territory of Wisconsin, entitled "an act to authorize the voters of LaFayette county to vote for locating the county seat thereof, approved March 11, 1848," as said votes were returned to the office of the clerk of the board of county commissioners of said county, by the judges of elections, of the several precincts of said county;—And also, in like manner set forth the votes cast at the general annual election in the year of our Lord one thousand eight hundred and forty-nine, upon the question of the removal of the county seat of said county, under and by virtue of an act entitled "an act to authorize the electors of LaFayette county to vote on the removal of the county seat, approved March 31, 1849," as said votes were returned to the office of the clerk of the board of supervisors of said county, by the inspectors of elections of the several towns of said county; and in each case it shall be necessary to copy, literally, the returns so made from each precinct and town. And when such case, or statement is so made, the same shall be presented to the judge of the circuit court of said county, at the next term thereof, or in vacation, or, to any other judge of the supreme court of this state, who shall endorse thereon, or annex thereto, a certificate that the same is full, true, and in all respects correct, and sign the same in his official capacity, if satisfied that such is the fact; and if not so satisfied, then, and in that case such judge shall, from the returns made as aforesaid, amend such case, or statement, until he shall be so satisfied, and shall then make and sign such certificate in manner aforesaid.

Case to be certified to Su. preme Court.

SEC. 2. When such case, or statement shall be so made and certified, the said judge shall certify the same up to the supreme court, without delay; and it shall be the duty of the clerk of said supreme court, to enter the same on the calendar of causes in said court, in the manner following, that is to say: In the matter of the county seat of LaFayette county, on the relation of [here inserting the name of the relator,] and thereupon the supreme court shall be fully possessed thereof, and shall proceed therein, as hereinafter directed.

SEC. 3. Such relator shall proceed to make out such case, or statement, and present the same to such judge as aforesaid, without delay, and shall make, or cause to be made out, the points for which he contends, on or before the first day of the next term of the supreme court, after such judge shall certify as aforesaid; and shall file ten copies thereof, with the clerk of said court. Such points shall be printed, or written in a fair legible hand; and thereupon, the relator shall be entitled to argue the points so made, and the case generally, either in person or by counsel, in like manner (as near as may be) as upon a writ of error; said court may also hear counsel in opposition to the relation, as in ordinary cases.—The said supreme court shall then, upon such relation, case, or statement proceed to, and decide where the county seat of said county is, according to the laws and constitution of this state, and shall enter judgment accordingly.

Relator to make out his case.

SEC. 4. Until such judgement shall be rendered as provided in the third section of this act, no further expenses shall be incurred, contract or contracts made, by, or with said county, by any person or persons, officer or officers, board or boards, on account of, in relation to, for, or about the erection, or purchase of public buildings for said county.

Point to decide.

SEC. 5. The costs in proceedings under this act shall consist of the fees of the clerk of the supreme court, and shall be paid by the relator, in case the final decision of the supreme court shall be against the positions by him assumed, otherwise the cost shall be paid by the county of LaFayette aforesaid.

No building contracts to be let until case disposed of.

SEC. 6. It shall be the duty of the governor to cause this act to be published without delay; and when the same is so published shall take effect.

How costs paid.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

An act to legalize a certain road in Fond du Lac and Columbia counties.

Chap. 24.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

That the road running from Waupun, in Fond du Lac county to Fox river bridge in Columbia county, as laid out by Minus Collins, William Jones, and F. Dexter, be, and the same is hereby declared a legal highway.

Road legalized.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

Chap. 26. An act authorizing and requiring the State Treasurer to credit the county of Dane the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Treasurer
shall pay
Dane county.

SECTION 1. The state treasurer is hereby authorized and required to credit the county of Dane on the state tax charged to said county for the year eighteen hundred and forty-eight, with the sum of one hundred and twenty-six dollars, being the amount of tax on the sum of twenty-eight thousand dollars, which sum, over and above the true amount of the assessed value of the taxable property of said county for the year eighteen hundred and forty-eight, was erroneously returned to the secretary of state, by the clerk of the board of supervisors of said county of Dane.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate,

Approved, January 29, 1850.

NELSON DEWEY.

Chap. 27.

An act on the subject of Canada Thistles.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

No person
shall permit
Thistles to go
to seed.

SECTION 1. No person or persons residing upon or occupying any land within this state, either as owner, lessee, or otherwise for purposes of cultivation, shall knowingly permit or allow the weed known as "Canada Thistle," to go to seed on such land, under the pains and penalties prescribed in the following section :

Guilty of mis-
demeanor.

SEC. 2. Any person or persons violating the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and shall on conviction thereof be punished by a fine not exceeding five nor less than one dollar.

Justices have
jurisdiction.

SEC. 3. Justices of the Peace shall have jurisdiction within their respective counties of all violations of the provisions of this act, and it shall be competent for any person to complain of and prosecute any person or persons violating the same.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate,

Approved January 29th, 1850.

NELSON DEWEY.

An act to provide for re-printing an act entitled an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837. **Chap. 29.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. Whereas, copies of the act entitled "an act to incorporate the Milwaukee Mutual Fire Insurance Company" are difficult to be obtained, and it is desirable to have other copies in print, duly authenticated for public use, the secretary of state is hereby directed to cause to be printed with the session laws of the year 1850, the said act, which is in the following words and figures:

Preamble.

An act to incorporate the Milwaukee Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:* That George D. Dousman, William Brown, John Y. Smith, Allen O. T. Breed, Horace Chase, Brazilla Douglass, Enoch Chase, James Sanderson, John Ogden, David S. Hollister, Luther Childs, Sylvester W. Dunbar, Jeremiah Zander, Joseph Sherwood, Hubbell Loomis, Lewis J. Higby, William Payne, Allen W. Hatch, Asa Kinney, Henry Miller, James B. Miller, Solomon Juneau, William M. Dennis, H. Higgins, George W. Willard, Elisha Starr, A. Sidney Hosmer, John Gall, Henry Williams, Hans Crocker, William N. Gardner, J. K. Lowry, G. S. Willis, Joshua Hathaway, Jr., Albert Fowler, Philander Bird, Thomas J. Noyes, Benjamin H. Egerton, James Rogers, Jacob M. Rogers, William Shor, Samuel Hinman, Benona W. Finch, Enoch Darling, Silas Juneau, J. Fowler, Jr., George Reed, Andrew J. Vieau, Jared F. Ostrander, L. Blanchard, William R. Longstreet, Charles W. Leland, Ira Stewart, William P. Proudfit, Byron Kilbourn, S. W. Cowles, Henry M. Hubbard, Thomas Sanburn, Chauncey H. Peck, Samuel Brown, Morris Pixley, A. Foster, Daniel H. Richards, William Nobles, Paul Burdick, David Curtis, William A. Prentiss, William Gorham, I. A. Lapham, Owen Aldrich, Cyrus Hawley, P. W. Leland, Augustus Peters, C. D. Fitz, Levi Vail, Samuel Sanburn, Sylvester Petubone, N. F. Hyer, John P. Hilton, Jonathan E. Arnold, L. I. Barber, Philip Schuyler, George J. Goodhue, Robert Masters, John Mandeville, Thomas Brayton, William Holmes, William A. Kellogg, William P. Cully, Pleasant Field, A. F. Pratt, Charles P. Everts, T. C. Dousman, William A. Webber, Hugh Wedge, Byron Giroin, James Ross, William Burdick, S. Evans, H. H. Brannon, John W. Pixley, George S. West, Alfred Orendorff, George Bowman, and their associates, and all such persons as shall hereafter have property insured by said company, shall be and hereby are ordained, constituted, and declared to be a body corporate and politic in fact and in name, by the name of the Milwaukee Mutual Fire Insurance Company, for the purpose of insuring their respective dwelling houses, stores, shops, and other buildings, household furniture and merchandize, against loss or damage by fire. And the said company or corporation shall

Names of corporators.

Objects of incorporation.

conform to the requisites of this act as hereinafter described.

Who to be members.

SEC. 2. Every person who shall at any time become interested in said company by insuring therein, and also his heirs, executors, administrators, and assigns continuing to be insured therein, as hereinafter mentioned, shall be deemed and taken to be members thereof, for and during the terms specified in their respective policies and no longer, and shall at all times be concluded and bound by the provisions of this act; and the property and concerns of said corporation shall be managed and conducted by a board of thirteen directors: and that George D. Dousman, Henry Miller, Allen W. Hatch, L. J. Higby, B. H. Egerton, David S. Hollister,

First directors.

Jeremiah Zander, Luther Childs, James Sanderson, Chauncey H. Peck, Henry M. Hubbard, William P. Proudfit, and Samuel Hinman, shall be the first directors of said corporation, and shall continue in office for the period of one year, and until others may be chosen, and no longer, which directors shall be elected on the first

Term of office.

Monday in January in each year, at such time and place at Milwaukee, in the county of Milwaukee, as the board of directors for the time being shall appoint, of which election public notice shall be given, in one of the newspapers printed in said county or territory, and by posting a notice in at least three public places in said village of Milwaukee, at least thirty days previous to said election.

Election, &c.

And it shall be the duty of the acting president of the said board to cause all notices to be given according to the provisions of this act, under the penalty of such fine as the board at its next sitting shall adjudge best. No election held at the time provided in this act shall be void or illegal by the neglect of the proper notice, and such election shall be holden under the inspection of three members not being directors, to be appointed previous to every election by the board of directors, and such election shall be made by ballot and by a plurality of the votes of the members present or their proxies allowing to each member one vote.

President to give notice.

Informal election not illegal.

Directors to choose a president.

SEC. 3. The directors hereinafter named shall as soon as may be after the passage of this act, and the directors to be chosen at such annual election shall as soon as may be thereafter, proceed to choose out of their number, one person to be president, and in case of the death, resignation, or inability to serve of the president or any director of said corporation, such vacancy may be filled for the remainder of the year by the board of directors; and in case of the absence of the president, the board of directors shall have power to appoint a president pro tem., who shall have and exercise such powers and functions as the by-laws of the said corporation may provide.

Member to deposit a premium note &c.

SEC. 4. Every person who shall become a member of said company by effecting insurance therein, before he receives his policy shall deposit his premium note for such a sum of money as shall be determined by the directors; a part not exceeding seven per cent. of said note, shall be paid on deposit; and the remainder of said deposit note shall be payable in part, or the whole, at any time when the directors shall deem the same requisite, for the payment of losses by fire, and such incidental expenses as shall be

necessary for transacting the business of said corporation; and at the expiration of the term of insurance, the said note or such part of the same as shall remain unpaid after deducting all losses, and expenses during the term, shall be relinquished and given up to the maker thereof. And it shall be lawful for said company to loan such portion of their money on hand as shall not be wanted immediately for the purposes of said corporation, to be secured by bond and mortgage on real estate of double the value of the sum loaned, above all incumbrances for a term of time, not exceeding one year, the interest to be paid half yearly, and in default of such payment, the principal as well as interest, to become immediately due and collected.

Lawful to
make loans.

SEC. 5. And said company shall have a lien in the nature of judgment, waiving the right of inquisition, upon all the said property of the insured, to the amount of his deposite note, or so much thereof as may be unpaid, which shall continue until the amount of such note, with interest and costs of execution, if any shall have been paid or satisfied according to the provisions of this act: *Provided*, Said corporation shall file in the office of the register of deeds, of the county wherein such real estate shall lie, a memorandum of the name of the individual insured, a description of the property, the amount of the deposite note unpaid, and the term for which the insurance shall continue. And the register with whom the same shall be filed, is hereby required to enter the same at large upon his judgment records, and the same when so entered shall be deemed, and taken to be in all respects as a judgment entered upon confession by virtue of a warrant of attorney, and execution may at any time be had thereof for so much as by virtue of this act may be due and demandable, but the lien thereof shall commence with the filing of such memorandums, in the office of the register aforesaid.

Lien for a-
mount of the
deposite note.

Proviso.

SEC. 6. The policies of insurance and other contracts founded thereon, hereafter to be made or entered into by said corporation though not under seal, if subscribed by the president or in case of his absence, resignation, or inability to act, by such officer or officers, person or persons as may be for the purpose authorized by the act of incorporation, or the by-laws of the said corporation, countersigned by the secretary; shall be binding and obligatory upon the said corporation, and shall have the like effect to all intents and purposes, as if the seal of said corporation had been, or was affixed thereto. And further, all such policies or contracts, may be so signed or attested, and all other business of the said corporation may be conducted and carried on by committees, or otherwise, without the presence of the board of directors, and shall be binding and obligatory on the said corporation, if the same shall be done under or in conformity to the by-laws and ordinances of the said corporation.

Policies &c. to
be binding.

SEC. 7. In case any person or persons insured named in any policy or contract of insurance made by the corporation hereby created, shall sell and convey or assign the subject insured, during

Policies trans-
ferrable.

the period of time for which it is insured, it shall be lawful for such insured to assign and deliver to the purchaser or purchasers, such policy or contracts of insurance, and such assignee or assignees shall have all the benefits of such policy or contracts of insurance; and may bring and maintain a suit thereon, in his, her, or their own name or names: *Provided*, That before any loss happens, he, she, or they shall obtain the consent in writing of the said corporation to such assignment, and have the same endorsed on or annexed to the said policy of insurance as matter of right.

Proviso.

Certain suits may be brought.

May hold real estate.

Interest as a corporator no disqualification to give testimony.

SEC. 8. Suits at law may be maintained by said corporation, against any of its members for the collection of the said deposit notes; or for any cause relating to the business of the said corporation, or against any person for moneys due said corporation, or for injury done to their corporate property, books, or papers, or for causing the destruction by fire of any property by them insured, and for no other cause. And it shall be lawful for the said corporation to take and hold any real estate, bona fide mortgaged or pledged to said corporation, by way of security for the payment of any debt which may be contracted with the said corporation, but said corporation shall not hold any property except what may be absolutely necessary for the transaction of their corporate business; and all real estate purchased by said company for the purpose of collecting or securing debts shall escheat to the territory or state, as the case may be, unless the same shall have been sold and disposed of and passed bona fide from the possession and ownership of the said corporation within six years next succeeding such purchase; also suits at law may be maintained against said corporation by any member thereof, for losses or damage by fire if payment is withheld more than three months after the company is duly notified of such loss, and no member not being in his individual capacity interested shall be incompetent as a witness in any such case as the aforesaid, on account of his being a member of said corporation.

Directors to assess and collect, to pass for losses, &c.

SEC. 9. The directors shall after receiving notice of any loss or damage by fire sustained on property insured by said corporation, and ascertaining the same, or after the rendition of any judgment as aforesaid against said company for loss or damage, settle and determine the sums to be paid by the several members thereof, as their respective proportions of such loss, and publish the same as they may see fit, or in such manner as their by-laws shall have prescribed, and the same to be paid by each member, shall always be in proportion to the original amount of his deposit note or notes, and shall be paid to the treasurer within thirty days next after the publication of said notices, and if any member shall for the space of thirty days after the publication of said notices neglect or refuse to pay the sums assessed to him, as his proportion of the loss aforesaid, in such case the directors may sue for and recover the whole amount of his deposit notes or note, with costs of suit, or may have execution for the whole amount as provided in the fifth section of this act, and the amount thus collected shall remain in the

treasury of said corporation subject to the payment of such delinquents proportion, on future losses and expenses, and the balance if any remain shall be returned to the party from whom it was collected, on demand, after thirty days from the expiration of the term for which insurance was made.

Sec. 10. If the available funds on hand, and the amount of deposit notes should be insufficient to pay the loss occasioned by any fire or fires, in such case the suffers insured by said company shall receive towards making their respective losses, a proportionate dividend of the whole amount of said deposite, according to the sums to them respectively insured; and in addition thereto, a sum to be assessed on all the members of said company, on the same principles as regulated the amounts of their respective deposite notes, but not exceeding one dollar to every hundred dollars to them respectively insured; and no member shall be required to pay for any loss occasioned by fire, at any one time more than one dollar on every hundred dollars insured in said company, in addition to his deposite note, nor more than that amount for any such loss, after his said note shall have been paid in and expended, but any member upon payment of the whole of his deposite note, and surrendering his policy before any subsequent expenses or loss has occurred, may be discharged from said company: *Provided, No* policy shall be issued by said company till application be made to such company for insurance to the amount of twenty thousand dollars at least, and no insurance shall be made by said company for a longer period than seven years.

On failure of funds how to proceed.

Sec. 11. If it shall happen at any time that an election of directors shall not be made on any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day to hold and make an election of directors, (by a notice being given by any member of such company) in manner as provided in the second section of this act.

Election of directors, &c.

Sec. 12. The operations and business of the Milwaukee Mutual Fire Insurance Company, shall be carried on in the village of Milwaukee, Wisconsin Territory, and this act shall take effect immediately after its passage, and shall continue in force twenty years, but the legislature of this territory or state, as the case may be, may at any time alter, modify, or amend its provisions.

When business to be carried on.

Sec. 13. The corporation hereby constituted, may have and use a common seal, may sue and be sued, plead and be impleaded by said corporate name, and the president and directors of said corporation shall have power to appoint such officers, agents, and servants as they may find necessary, prescribe their duties and require bonds for the faithful performance thereof, and may from time to time adopt such by-laws and regulations for the transaction of the business of said company as they may deem expedient; such by-laws and regulations not to be inconsistent with the constitution and laws of the United States, or of this Territory; and such laws shall determine as near as practicable the rates of insurance on the

Powers of corporation.

different classes of property, and the sums to be deposited for any insurance. They shall also fix the sum to be insured, and the majority of the whole number of directors shall constitute a quorum for the transacting any business required by this act.

To take an oath.

SEC. 14. The directors, before they execute any of the duties of their office, except choosing a president, shall severally take an oath or affirmation that they will faithfully, diligently, honestly, and impartially perform the duties of their respective offices, according to the best of their skill and abilities.

Effect of insurance with-
out notice, in
any other co.

SEC. 15. If any insurance shall subsist in said company and at or in any other office of insurance, or for any other person or persons, against the loss by fire, at the same time the said insurance made by the company established under this act shall be deemed and become absolutely void, unless such double insurance subsist with the consent and approbation of the company.

Approved, December 27, 1837.

Effect of re-
publication.

SEC. 2. Copies of the said act published as provided in the preceding section shall have the same force and effect, and be of like authority in all courts of justice as copies of the original act heretofore printed and published by the Territory of Wisconsin: *Provided*, That this act shall give no force to the act so to be published beyond what the printed copies now have.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

Chap. 33.

An act for the relief of Mary Kinner and Mary C. McCoy.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Title to be ves-
ted &c.

SECTION 1. That a full and perfect title in fee simple to lots marked on the plats of the United States survey, as lots No. 1, 2, 3, and 4, in section No. seven, (7,) township No. sixteen, (16,) north of range No. twelve, (12,) east of the fourth principal meridian; the same containing, according to said survey, two hundred and five, 30-100 acres, be, and the same hereby is, vested in John Shaw, for the sole use and benefit of Mary Kinner and Mary C. McCoy and their heirs.

How land sold.

SEC. 2. The said John Shaw may, at any time with the consent of said Mary Kinner and Mary C. McCoy, convey and dispose of said land, or any part thereof. And the said John Shaw is hereby authorized and empowered, in case of any such conveyance or disposal, to make and deliver all deeds and other instruments necessary to pass the title in fee, or any interest of the said Mary Kinner and Mary C. McCoy in and to said land to the purchaser or purchasers thereof.

Sec. 3. The treasurer of the board of public works be, and he is hereby directed, to account to the treasury of said board of public works, for the sum of two hundred and fifty-five ⁸⁵⁻¹⁰⁰ dollars, being the amount in full paid by John Shaw, for the tracts of land described in this act, in the same manner all other monies coming into said treasury are required to be accounted for by said treasurer: *Provided*, He produces and delivers up to said treasurer his receipts thereof.

Treasurer of
Board of Pub-
lic Works to
account, &c.

Sec. 4. This act shall take effect from and after its passage, all laws now in existence to the contrary notwithstanding.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

An act to amend an act entitled "an act to incorporate the Wisconsin Phalanx." **Chap. 34.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. An act entitled "an act to incorporate the Wisconsin Council au-
sin Phalanx," approved February 6, 1845, is hereby so amended; ^{authorized to sell}
as to allow and authorize the council to sell and convey real es- &c.
tate by their official act; also to lay out and have recorded a village
plat with streets and squares, and public lots.

Sec. 2. The said act is further amended by repealing sections sixteen and seventeen of the same.

Sec. 3. It shall not be lawful for the council or other officers of said Phalanx to purchase real estate in their corporate capacity after the passage of this act.

Sec. 4. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, January 29, 1850.

NELSON DEWEY.

An act to provide for the payment of the salaries of State Officers.

Chap. 35.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The following sums are hereby annually appropriated to be paid out of the state treasury, for the objects herein-after named, to wit:

For the salary of governor, the sum of twelve hundred and fifty ^{Governor.}
dollars.

Secretary of State.	For the salary of secretary of state, the sum of twelve hundred dollars.
Treasurer.	For the salary of state treasurer, the sum of eight hundred dollars.
Attorney General.	For the salary of attorney general, the sum of eight hundred dollars.
Superintendent.	For the salary of state superintendent of public instruction, the sum of one thousand dollars.
Judges.	For the salaries of the judges of the circuit courts, the sum of fifteen hundred dollars each.
Librarian.	For the salary of state librarian, the sum of three hundred dollars.
When payable.	SEC. 2. The salaries of the above named officers shall be drawn from the state treasury, in equal quarterly payments, payable upon the first day of January, April, July, and October, of each year.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 30, 1850.

NELSON DEWEY.

Chap. 36.

An act to appropriate to George H. Slaughter the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

G. H. Slaughter.

SECTION 1. There is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to G. H. Slaughter the sum of seventy-two dollars, in full for one hundred and forty-four township plats furnished commissioners to locate state lands.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 30, 1850.

NELSON DEWEY.

Chap. 37.

An act to change the name of Eliza C. Wyman.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Name changed.

SECTION 1. The name of Eliza C. Wyman is hereby changed to Eliza C. Brooks.

SEC. 2. This law shall take effect immediately.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 30, 1850.

NELSON DEWEY.

An act to provide for the assessment and collection of taxes for the year 1849, Chap. 38.
in the town of New Berlin.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The supervisors of the town of New Berlin, in ^{Supervisors to} the county of Waukesha, are hereby authorized to appoint, by ^{appoint asses-} warrant under their hands, any number of persons not exceeding ^{sors.} five, to make an assessment of the taxable property in said town, who shall at the time, be residents thereof; and shall, previous to entering upon their duties, severally take, and subscribe the oath prescribed by law to be taken and subscribed by town assessors.

SEC. 2. The persons so appointed and qualified, shall there- ^{Duties of per-} upon immediately proceed to ascertain and assess the value of the ^{sons so appoint-} taxable property in said town, and complete, review, correct, and ^{ted.} certify the assessment roll thereof, in the manner prescribed by an act to provide for the assessment and collection of taxes, passed at the January session of the legislature of the state of Wisconsin, in 1849, and shall deliver the same to the clerk of said town.

SEC. 3. The said assessment roll, when perfected and delivered ^{Validity of as-} as aforesaid, shall be of equal validity to, and shall have the same ^{essment roll.} force and effect to all intents and purposes as an assessment roll of said town, made, constituted, and delivered to the town clerk thereof, within the times and in the manner prescribed by said act.

SEC. 4. The time for the completion and service of said roll, ^{Time of deliv-} shall be the 16th day of February, 1850, at 1 o'clock A. M. The ^{ery extended.} time for the delivery of the assessment roll, with the warrant annexed, to the treasurer of said town, is hereby extended to the 23d day of February, 1850; and the time for the payment of the state and county taxes apportioned to said town, is extended to the 25th day of March, 1850; and the town clerk and treasurer of said town, are hereby invested with all the powers necessary by law, for making out and collecting the town, county, and state taxes, within the time above specified.

SEC. 5. This act shall take effect, and be in force from and after its passage.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 29, 1850.

NELSON DEWEY.

An act for the division of the county of Racine and the erection of the county
of Kenosha.

Chap. 39.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. All that portion of the present county of Racine, ^{Boundaries of} lying within the following boundaries, to wit: Commencing at ^{county of Ke-} the south-west corner of said county, and running thence east on

the state line to the centre of lake Michigan, and the south-east corner of said county, thence northerly through the centre of lake Michigan to the town line between towns two and three, thence westerly on said town line to the eastern line of the present town of Burlington, thence southerly on said eastern line of the town of Burlington to the south-east corner thereof, thence westerly on the south line of the said town of Burlington, to the east line of the county of Walworth, thence southerly on said east line of Walworth county to the place of beginning, is hereby set off and erected into a separate county, under the name and title of Kenosha.

SEC. 2. That said county of Kenosha is hereby erected, established, and organized, with all the rights, powers, and privileges by law granted to other counties of this state, and subject to all general laws established for county government.

Election of
county officers

SEC. 3. That on the first Tuesday of April next, the electors resident within said new county, shall meet in their respective towns at the usual place of holding elections, and then and there proceed to elect all and every of the county officers provided by law for county government, which said officers shall hold their offices when duly qualified until the expiration of the term of similar offices in other counties.

Election of
county judge.

SEC. 4. That on the first Monday of May next, there shall be elected by the qualified electors of said county of Kenosha, a county judge, in accordance with the provisions of chapter eighty-six of the Revised Statutes of Wisconsin, who shall hold his office under the same terms and restrictions, and with the same limitation as is provided by said act for county judges. The county courts of said county shall be held in accordance with law at such place in the village of Southport as shall be designated by the supervisors of the county, until the completion of the court house therein.

Where court,
held.

County seat.

SEC. 5. The present village of Southport is hereby declared to be the county seat of said county of Kenosha. The circuit court of the first district of Wisconsin shall hold its session at said county seat of Kenosha, commencing on the fourth Monday of May, and on the fourth Monday of November in each year, the first term to be held on the fourth Monday of November next.

Indebtedness
of Racine co.
to be paid.

SEC. 6. The liabilities or indebtedness of the present county of Racine shall be paid, satisfied, and discharged rateably by said county of Racine and county of Kenosha, according to the last assessment of Racine county, except so far as the county of Racine shall have a fund on hand or in prospective, which said fund shall be used in discharge of such indebtedness, and except further that any new liability of said county arising from any and all erections, alterations, or repairs of county buildings, which said liabilities shall be a charge upon the county of Racine, and in case there is a county fund on hand, the same shall be divided between said counties at the same rates as that for the discharge of indebtedness.—The board of supervisors of either county shall have power to audit claims for which both counties are liable.

Fund to be di-
vided.

SEC. 7. The county of Kenosha shall have no claim against the county of Racine on account of the county buildings therein situate.

SEC. 8. All process, appeals, recognizances, and other proceedings commenced either in the circuit court for the county of Racine, or in the county court of said county, prior to the first Monday of March next, shall be prosecuted to final judgment therein, in the same manner they might have been had this act not have been passed. Actions in court to be prosecuted.

SEC. 9. The county of Kenosha shall constitute the sixteenth senatorial district, and any part of the sixteenth district as before limited, which may be situated north of the north line of said county of Kenosha is hereby attached to the seventeenth senate district. 16th Senate district.

SEC. 10. It shall be the duty of the county supervisors elected at the next April town election, within the limits of said county of Kenosha, to meet at the Durkee House in the village of Southport, on the first Monday of May next, at ten o'clock, A. M., and organize a board of county supervisors, shall then proceed to select within the limits of said town of Southport, suitable and convenient grounds for the erection of a court house and other county buildings, and also to procure a suitable room for the county courts: *Provided*, Section eleven of this act shall have been complied with. Duty of supervisors.

SEC. 11. There shall be executed to the treasurer of the county of Kenosha and his successors in office, a good and sufficient bond in the penal sum of twenty thousand dollars, by five or more good and responsible persons to be approved by the judge of the first judicial circuit of the state of Wisconsin, conditioned, that they will erect or cause to be erected, free of expense or charge to the county of Kenosha, upon lands to be located by the supervisors, a good, ample and sufficient court house, jail, and fire proof register's and clerk's offices, to be approved and accepted by the supervisors of the county. The court house to be completed and ready for use by the first Monday of November next, and the jail and offices of clerk and register within one year, and further, shall cause to be erected in the county a good, ample, and sufficient title of warrantee, free of all costs or charge, the lands located by the supervisors for such county purposes, with the appurtenances, within thirty days after the selection thereof by said supervisors, said bond shall be filed with the treasurer of the state of Wisconsin, for the use of said county, on or before the first Monday of March next, and the certificate of the state treasurer of the receipt of such bond so approved, published in a newspaper in said proposed county, shall be evidence of the compliance with the terms of this section. Bond to be given to treasurer of Kenosha.

SEC. 12. This act shall take effect immediately upon the filing of the bond provided for in the eleventh section of this act; *Pro-* County buildings to be erected.

vided It be filed within the time therein limited and not otherwise.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved January 30 1850.

NELSON DEWEY.

Chap. 40. An act relating to the assessment and collection of the highway tax for the year 1849, in the town of Hazel Green.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Act legalized. SECTION 1. That the action of the supervisors of the town of Hazel Green in the county of Grant, relative to the assessment of the highway tax in said town in the year 1849, be, and the same is hereby declared legal.

SEC. 2. The unpaid portion of said tax, shall or may be collected and applied as the law provides.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, January 30, 1850.

NELSON DEWEY.

Chap. 41. An act to legalize the acts of joint school district number four, in the towns of Jefferson and Aztalan.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the acts of the school commissioners in forming the present joint school district, number four, in the towns of Jefferson and Aztalan, shall not effect or prevent the said joint school district number four, from exercising through its proper officers all the rights and privileges that they would have been entitled to had said act been strictly legal.

SEC. 2. The officers of said district are hereby authorized to levy and collect a tax in said district, in pursuance of a vote of the same, for the erection of or payment for a school house in said district.

SEC. 3. This act shall be in force from and after its passage.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 1, 1850.

NELSON DEWEY.

An act relative to the location of a School House to be erected by Union School District No. 1, Town of Beloit, County of Rock. **Chap. 42.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Union School District No. 1, Town of Beloit, County of Rock, are hereby authorized to erect a school house on such part of the grounds laid out as a Public Square as said district shall decide upon. District authorized to erect house.

Sec. 2. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act legalizing the acts of Isaiah W. Thayer, as Town Superintendent of Schools for the Town of Beloit, County of Rock. **Chap. 43.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. All the acts of Isaiah W. Thayer, as town superintendent of common schools for the town of Beloit, county of Rock, shall be deemed to possess the same force and value, in law, as if he had been duly elected to fill that office at the last election held for that purpose, and had proceeded according to law in the discharge of his duties. Acts of I. W. Thayer legalized.

Sec. 2. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act to provide for the protection of married women in the enjoyment of their own property. **Chap. 44.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The real estate, and the rents, issues, and profits thereof, of any female now married, shall not be subject to the disposal of her husband, but shall be her sole and separate property, as if she were a single female.

Sec. 2. The real and personal property of any female who may hereafter marry, and which she shall own at the time of marriage, and the rents, issues, and profits thereof, shall not be subject

to the disposal of her husband, nor be liable for his debts, and shall continue her sole and separate property.

SEC. 3. Any married female may receive by inheritance, or by gift, grant, devise, or bequest, from any person, other than her husband, and hold to her sole and separate use, and convey and devise, real and personal property, and any interest or estate therein, and the rents, issues and profits, in the same manner and with like effect as if she were unmarried, and the same shall not be subject to the disposal of her husband, nor be liable for his debts.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act to authorize the laying out of a road therein named.

Chap. 45.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Commissioners
to lay out a
road.

SECTION 1. That John R. Smith, Resin Barnes and John J. Mathews, be, and they are hereby appointed commissioners to lay out and establish a state road, beginning at Richmond, in Richland county, on the nearest and best ground to Springville Postoffice, in Crawford county.

SEC. 2. The said commissioners shall not be entitled to any compensation for the services rendered under this act.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 46.

An act to change the name of the village of Rochester in Sheboygan county.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Name chang-
ed.

SECTION 1. The name of the village of Rochester, in the county of Sheboygan, is hereby changed to Sheboygan Falls, by which name it shall hereafter be known in all places whatsoever.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act amendatory of the act entitled "Of wills of real and personal property." **Chap. 47.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. No will made within this state, except such nuncupative wills as are mentioned in section numbered six, of chapter sixty-six of the Revised Statutes, shall be effectual to pass any estate, whether real or personal, nor to change or in any way affect the same, unless it be in writing, and signed by the testator, or by some person in his presence, and by his express direction, and attested and subscribed in the presence of the testator by two or more competent witnesses, and if the witnesses are competent at the time of attesting the execution of the will, their subsequent incompetency, from whatever cause it may arise, shall not prevent the probate and allowance of the will, if it be otherwise satisfactorily proved. No will shall be effectual unless in writing.

SEC. 2. The preceding section shall be regarded and construed as section five of chapter sixty-six of the Revised Statutes.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act to provide for recording patents.

Chap. 48.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. Patents issued by the government of the United States, of land lying in this state, shall be allowed to be recorded in the office of the register of deeds in the county in which the land for which the patent may have been issued, shall be situated: Patents may be recorded.
Provided, That nothing herein contained shall make it obligatory upon the holders of such patent, to have them recorded.

SEC. 2. The record of patents of the United States, so recorded, shall be admitted to be read in evidence in the courts of this state, in the same manner and with the same effect as is now allowed by law to records of deeds duly executed. Record received as evidence.

SEC. 3. The register of deeds shall be allowed the same fees for recording patents as is now allowed by law for recording deeds. Fees for recording.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 49. An act supplementary to the several acts relating to the Milwaukee and Waukesha rail road company, approved February 11th, 1847.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The second section of the act to incorporate the Milwaukee and Waukesha rail road company, is hereby so amended as to change the name and style thereof, and it is hereby enacted that said corporation, shall hereafter be known by the name and style of the " Milwaukee and Mississippi rail road company," and whenever the former name shall occur in any law, or proceeding, the latter name shall be substituted, and understood therefor; and further, the affairs of said corporation shall be managed by a board of not less than nine, nor more than fifteen directors, as may be provided by the by-laws of said company from time to time, instead of nine directors as provided by the fourth section of the act to which this is amendatory, and said section is hereby so amended.

SEC. 2. It shall be lawful for said company, their officers, engineers and agents, to enter upon lands adjacent to the rail road beyond the limits of four rods, in the manner provided in the tenth section of said act, when necessary for the purpose of erecting depot buildings, station-houses, and necessary fixtures for the operation of the business of said road, and for the purpose of making drains and giving a proper direction to water courses, across or along said road, when the same are necessary beyond the said limits of said road, and to remove all substances and things which might endanger, obstruct, or interfere with the free use of said road, and to deposit earth and gravel taken from deep cuts, and to obtain earth, gravel, and other materials for embankments, and structures, necessary to the construction and repairs of said road, doing however no unnecessary damage, and all damage which shall be done to any lands, or property, under the provisions of this section, shall be ascertained and paid for in the manner and agreeable to the provisions contained in the eleventh section of the said act, and when such damages shall have been paid, or tendered, the title to the land occupied by such building, fixtures, excavations and embankments, shall vest in fee simple in said company agreeable to the provisions contained in the twelfth section of the act aforesaid.

SEC. 3. In cases where said rail road may cross, or come in contact with any public or private road, so as to occupy any part of such road, it shall be lawful for said company to construct said rail road, across or upon such road, after altering and putting the same in as good condition as before, and for that purpose, the said company shall previous to occupying any part of such road, construct a new road, in part, or in whole, as may be necessary, on ground adjacent to such road, and in every respect complete such newly constructed road, or part of a road, and put the same in as good repair and condition as the road, so interfered with, was

previous to the disturbance and occupancy thereof by said company.

SEC. 4. Any person who shall wilfully and maliciously place any obstruction or thing on the track of said road, or shall remove, or damage any part thereof, in such a manner that the cars may be impeded or thrown off the track, shall be deemed guilty of a misdemeanor, whether such accident shall actually take place or not, and shall be punished for every such offence by imprisonment in the state prison for a term not less than one year, nor more than five years, at the discretion of the court, and in case any damage shall result from the placing of such obstruction, or injury to said road, said party shall be liable to pay all such damage to said company, and to any other person who may be damaged thereby, and in case any accident shall happen in consequence of placing such obstructions, or in consequence of breaking or injuring said road whereby death may be produced, the party so offending shall be adjudged guilty of murder in the first degree, and shall be punished agreeable to the law in such case made and provided.

Persons injuring road guilty of misdemeanor or.

How punished.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act to provide for the incorporation of Orphan Asylums.

Chap. 50.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Any five or more persons, in any county in this state desirous of forming a corporation for the purpose of establishing and maintaining an asylum for the support and education of orphans, may make, sign, and acknowledge before some officer authorized to take the acknowledgment of deeds, a certificate in writing, in which shall be stated the name of such corporation, the number of officers and their names, who shall manage the concerns of said corporation for the first year, and the name of the city, village or town, and county, in which such asylum is to be established.

Five or more persons may make certificate.

SEC. 2. Such certificate shall be filed in the office of the register of deeds of the county in which such asylum shall be established, and a duplicate thereof, shall be filed in the office of the secretary of state.

Certificate how filed.

SEC. 3. The corporation so established shall be invested with and entitled to all the powers and privileges, and be subject to all the liabilities prescribed in chapter fifty-four of the Revised Statutes, entitled "general provisions relating to corporations," so far as the same may be applicable.

Powers, &c., of corporation.

SEC. 4. It shall be lawful for such corporation to receive donations and bequests and to apply the same for the purposes afore-

Corporation may receive donations &c.

said, and the proper authorities of any town, village, city or county, are hereby authorized to make such appropriations for the benefit of said institution as they shall from time to time deem right and proper.

Religious test not required. SEC. 5. No political or religious test shall ever be required as a qualification for office or for admission to the benefits of the asylum.

May hold real estate.

SEC. 6. Said corporations shall have power to hold real estate, as provided by law, and may sell and convey the same whenever they may deem [it] proper, and as provided in cases of other corporations.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 51. An act for the relief of joint school district number seven of the towns of Sullivan and Palmyra, in the county of Jefferson.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Clerk authorized to renew a tax warrant.

SECTION 1. The clerk of joint school district No. seven, in the towns of Sullivan and Palmyra, in the county of Jefferson, is hereby authorized and empowered to renew a tax warrant issued by the trustees of said district under and by virtue of an act for that purpose, approved August 8th, 1848.

Treasurer to collect and make returns.

SEC. 2. The treasurer of said district is hereby authorized to collect the amounts now remaining unpaid upon the list to which said warrant was annexed, and returns thereof make in the manner now prescribed by law for the collection of school district taxes.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 52. An act to extend the time for collecting taxes in the town of Madison, Dane County.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Time extended fifteen days. SECTION 1. The time for collecting the taxes in the town of Madison, Dane county, is hereby extended to fifteen days beyond the time now required by law, and the treasurer of said town shall have the same right to levy on property and sell the same within

and time, extended, as is now allowed by law for such purposes.

Sec. 2. This act to take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate,

Approved, February 1, 1850:

NELSON DEWEY.

An act to amend section five, of chapter one hundred and thirty-one, of title twenty-nine of the Revised Statutes of the State of Wisconsin. **Chap. 53.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. All the powers conferred upon Judges of Probate as Court Commissioners, in the act to which this is amendatory, are hereby conferred upon Court Commissioners.

SEC. 2. Court Commissioners shall be entitled to receive the same fees and compensation for services rendered, as are allowed to Judges of Probate acting as Court Commissioners by the act to which this act is amendatory.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

An act to change the time of holding the January term of the Supreme Court. **Chap. 54.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That so much of section two, chapter eighty-two, part three, title twenty-two, of the Revised Statutes, as requires a January term of the Supreme Court to be held at Madison, in the Supreme Court [Room] each year, be and the same is hereby repealed, and hereafter there shall be held in the Supreme Court Room, at Madison, a term of the Supreme court in December of each year, commencing on the second Tuesday, and shall be called the December term.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 55. An act to authorize societies of Free Masons, Odd Fellows and Sons of Temperance, and other similar societies to hold property.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Trustees may be chosen. SECTION 1. It shall be lawful for all persons of full age, belonging to any Grand Lodge or Divisions of Free Masons, Odd Fellows, Harmons Sons, or Sons of Temperance, and other similar societies, and subordinate Lodges and Divisions, duly organized, and acting under and by the authority of the Grand Lodges or Divisions of the aforesaid Orders of the State of Wisconsin, other similar societies not under the jurisdiction of a Grand Lodge or Division, to assemble at their usual places of meeting, and by the rules of their societies, elect any number of discreet persons of their order or society, not less than three nor more than nine in number, as trustees, to take charge of the estate and property belonging thereto, and to transact all business relative to the investment and disposal thereof.

Trustees may have seal, and take possession of property. SEC. 2. Such trustees may have a common seal, and may alter the same at pleasure, and they may take into their possession and custody, all property of such Lodge or society, whether the same shall consist of personal or real estate and whether the same may have been given, granted or devised, directly or indirectly, to such Lodge or society, or to any other person or persons for their use.

Powers of trustees. SEC. 3. Such trustees may also, in the name of such Lodge, Division, or society, and in strict conformity with the rules and regulations of the Grand Lodge, Division or society, from which they may derive their charters, sue and be sued in all courts and places, and they may recover and hold all the debts, demands, rights and privileges, all buildings, burying places, and all the estate and appurtenances belonging to such Lodge, Division or society, in whatsoever manner the same may have been acquired, or in whose hands soever the same may be held, as fully and amply as if the right and title thereto had been originally vested in the said trustees, and they may hold other real or personal estate, and devise, lease and improve the same; and being authorized by a vote of a majority of all the members of a Lodge, Division or society, in regular standing, may grant, bargain, sell and convey the same in fee simple, but the whole of such estate, real and personal, shall not exceed the yearly value or income of three thousand dollars; and such trustees shall also have power to erect buildings for the use of their Lodge, Division or society, and keep the same in repair.

Terms of office. SEC. 4. The said trustees shall hold their offices for one year, but may be removed at any time and the vacancy filled by such Lodge, Division or society. Any two of the trustees may at any time call a meeting of the trustees, and a majority of them being convened, in accordance with the rules and regulations which may be established by such Lodge, Division or society, shall be compe-

Meetings, how called.

to do and perform all matters and things which such trustees are authorized to do and perform.

SEC. 5. All lands, tenements and hereditaments that have been or may hereafter be lawfully conveyed by devise, gift, grant, purchase or otherwise, to any person as trustee in trust, for the use of any such Lodge, Division or society, shall descend with improvements in perpetual succession to, and shall be held by such trustees in trust for such Lodge, Division or society.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 7, 1850.

NELSON DEWEY.

An act for apportionment of school monies for 1850.

Chap. 56.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. It shall be the duty of the town superintendent of the several towns of this state, between the first Monday in April and the first Monday in May next, to apportion the school moneys received from the town and county treasurers to the several districts and parts of districts, within their respective towns, in proportion to the number of children residing in each, over the age of four and under the age of twenty years.

SEC. 2. The number of children residing in the several districts and parts of districts between the ages of four and twenty years, shall be ascertained by the clerks of the several school districts and parts of districts, and reported to the superintendents of the towns in which such districts or parts of districts are situated respectively, on or before the first day of April next.

SEC. 3. No moneys shall be apportioned to any district or part of district, unless it shall appear by the certificate of the clerk of such district, that a school has been taught therein by a qualified teacher, at least three months within the year ending on the first day of April next.

SEC. 4. This act shall take effect on the second Monday of February, eighteen hundred and fifty, and shall continue in force till the first Monday of May next thereafter, and no longer.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap. 57. An act to legalize the organization of school district number four in the town of New Berlin.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Organization of district legalized. SECTION 1. That the organization of School district¹⁰ number four, so termed in the town of New Berlin, in the county of Waukesha, be and the same is hereby declared legal, and the several acts of the trustees and other officers of said district, shall not be deemed invalid in consequence of any defect in the organization of said district.

Meetings, &c. legalized. SEC. 2. That the several regular and special meetings heretofore held in the aforementioned district, and the acts of the several officers as aforesaid, are hereby legalized.

SEC. 3. This act shall take effect and be in force from and after its passage.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 58. An act to authorize the construction of a bridge across Fox river.

The People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That George H. Tuttle, his associates and assigns, shall have power to build and construct a bridge across Fox river, on any land owned by them, at Omro, on section eighteen, in town eighteen, (18) of range fifteen (15.)

Bridge how built. SEC. 2. That said bridge shall not be less than twelve feet wide, and shall be constructed with a draw over the channel of the river not less than fifty feet wide; and the said George H. Tuttle, his associates and assigns, shall attend to the draw, so as to permit boats, vessels and rafts, to pass through the same at all times, free of charge, and without unnecessary delay, and shall be commenced within one year and completed within three years.

When commenced and completed. SEC. 3. The said George H. Tuttle, his associates and assigns, shall have power, after the completion of said bridge, to demand and collect tolls for passing over the same, as follows: For any vehicle drawn by one horse, ten cents; for any vehicle drawn by two horses or oxen, twenty cents; and for each additional horse, five cents; for foot passengers, five cents; for a single horse, five cents; for all animals in droves, three cents each; *Provided*, That hogs and sheep shall not be charged more than at the rate of two cents per head.

SEC. 4. The said George H. Tuttle, his associates and assigns,

shall keep posted up in some conspicuous place on said bridge, a list of the rates of toll allowed by this act.

Sec. 5. This act shall be in force from and after its passage.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act to provide for laying out a road from Fox Lake to Marquette.

Chap. 59.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Martin Webster, M. W. Stevens, and Madison Miller are hereby appointed commissioners to lay out and establish a state road from Fox Lake in Dodge county, to Marquette in Marquette county, upon the most direct and practicable route.

Commissioners to lay out

SEC. 2. The said commissioners shall be entitled to receive for laying out said road, such compensation as the board of supervisors of Dodge and Marquette counties may deem sufficient.

Compensation-

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

An act to legalize the act of the Superintendents of common schools in the towns of Lisbon and Menomonee, in the formation of joint school district No. 6, of Lisbon and Menomonee, and the organization of said district.

Chap. 60

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The act of the superintendents of common schools in the towns of Lisbon and Menomonee, in the county of Waukesha, in forming and establishing joint school district No. 6, in the said towns of Lisbon and Menomonee, and organization of said district, together with the acts of said district officer for the year eighteen hundred and forty-nine, be, and the same are hereby declared to be legal and valid for all purposes thereby intended.

Acts of officer &c. legalized.

SEC. 2. The proceedings of the special school meetings held in the aforementioned district, in the month of November, one thousand eight hundred and forty-nine, are hereby declared legalized.

Proceedings of meetings legalized.

SEC. 3. This act shall take effect and be in force from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and Pres't of the Senate.

Approved February 1, 1850.

NELSON DEWEY,

Chap. 61. An act to enable the Racine and Rock river plank road company to extend a branch of their road to Geneva.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Company may extend road.

SECTION 1. The Racine and Rock River plank road company, are hereby authorized to extend a branch of their road from Burlington in Racine county, to Geneva in Walworth county, with the same privileges and immunities, and under the same restrictions contained in an act entitled, "an act to incorporate the Racine and Rock River plank road company," approved March 6, 1848. All the provisions contained in said act, shall be applied to and regulate such extension, so far as the same may be applicable.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 62. An act to authorize the construction of a bridge across Fox river at the head of Lake Butte des Morts, and a plank and turnpike road across the Big Marsh at that point.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Power conferred to build bridge and road.

SECTION 1. That Augustus Grignon, his associates and assigns, shall have power to build and construct a bridge across Fox river at the village of Butte des Morts, on any lands owned by them, and to build and construct a plank and turnpike road across the "Big Marsh," on the west side of said river, commencing at a point directly opposite the foot of Main street in said village, running thence in a south-westerly direction across said Marsh, and terminating on the lands of Robert Grignon, at or near the residence of said Robert Grignon.

Bridge how built.

SEC. 2. That said bridge shall not be less than twelve feet wide, and shall be constructed with a draw over the channel of the river, not less than fifty feet wide, and the said Augustus Grignon, his associates and assigns, shall attend to the draw, so as to permit boats, vessels, and rafts to pass through the same at all times free of charge and without unnecessary delay; and said plank and turnpike road shall be commenced within one year, said bridge within two years, and both be completed within three years.

Bridge and road when commenced and when completed.

SEC. 3. That said Augustus Grignon, his associates and assigns, shall have power to keep and maintain a ferry boat across Fox river at said village of Butte des Morts, until said bridge be completed in accordance with the provisions of this act.

May keep a ferry boat.

SEC. 4. That said Augustus Grignon, his associates and assigns, shall have power after said plank and turnpike road is in a safe and good travelling condition, to demand and collect for pass-

ing over said road and said ferry or bridge, tolls as follows: For any vehicle drawn by one horse, twelve and one half cents, for any vehicle drawn by two horses or oxen, twenty-five cents, and for each additional horse or ox, six and one quarter cents, for a single horse six and one quarter cents, for all animals in droves, three cents each, for foot passengers, six and one quarter cents: *Provided*, That hogs and sheep shall not be charged more than at the rate of two cents per head. Rates of toll.

SEC. 5. The said Augustus Grignon, his associates and assigns, shall keep posted up in some conspicuous place on said bridge a list of the rates of toll allowed by this act.

SEC. 6. This act shall be in force from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 1, 1850.

NELSON DEWEY.

An act to appropriate to J. C. Fairchild the sum therein named.

Chap. 63.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the sum of fifteen dollars and ninety-five cents is hereby appropriated to J. C. Fairchild, to be paid out of J. C. Fairchild any moneys in the treasury not otherwise appropriated, in full for postage for the office of state treasurer for the year eighteen hundred and forty-nine.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 4, 1850.

NELSON DEWEY.

An act to provide for laying out a certain road therein described.

Chap. 64.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That A. E. Horton, Wm. N. Davis, and Cyrenus Baldwin, are hereby appointed commissioners to lay out and establish a state road from Hortonville, in Brown county, on the best and most direct route, to Grignon Bridge in Winnebago county. Commissioners appointed.

SEC. 2. The commissioners appointed under the provisions of this act, shall, upon the performance of the work be entitled to such compensation for their services as the county supervisors of the counties where such services are performed, shall deem just and Compensation.

proper, to be paid out of the county treasuries of the said counties respectively.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 4, 1850.

NELSON DEWEY.

Chap. 65. An act to amend an act entitled, "an act to incorporate the Madison and Beloit Rail Road Company, approved August 19, 1848.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Power to
change loca-
tion.

SECTION 1. The said company shall have power to change the location of the said rail road and to terminate the same at any point that to them shall seem expedient, on the south line of the State of Wisconsin and at such termination as may unite with any other rail road.

Right to ex-
tend road.

SEC. 2. The said company shall have the right to extend said road to any point on the Wisconsin river that to them shall seem proper.

Increase capi-
tal.

SEC. 3. The said company shall have power to increase their capital stock to six hundred thousand dollars.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 4, 1850.

NELSON DEWEY.

Chap. 66. An act to authorize the construction of a bridge across Fox river.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Bridge in Al-
goma.

SECTION 1. That Alexander Spaulding, his associates and assigns, shall have power to build and construct a bridge across Fox river, on any land owned by them in Algoma, on section fifteen, (15,) in town eighteen, (18,) of range sixteen, (16.)

Bridge how
built, &c.

SEC. 2. That said bridge shall not be less than twelve feet wide, and shall be constructed with a draw over the channel of the river, not less than fifty feet wide, and the said Alexander Spaulding, his associates and assigns, shall attend to the draw, so as to permit boats, vessels, and rafts to pass through the same at all times free of charge, and without unnecessary delay, and shall be commenced within one year and completed within three years.

SEC. 3. The said Alexander Spaulding, his associates and assigns, shall have power after the completion of said bridge, to de-

mand and collect tolls for passing over the same, as follows: For Rates of toll.
 any vehicle drawn by one horse, ten cents, for any vehicle drawn
 by two horses or oxen, twenty cents, and for each additional horse, five
 cents, for foot passengers, five cents, for all animals in droves, three
 cents each: *Provided*, That hogs and sheep shall not be charg-
 ed more than at the rate of two cents per head.

SEC. 4. That said Alexander Spaulding, his associates and as-
 signs, shall keep posted up in some conspicuous place on said
 bridge a list of the rates allowed by this act.

SEC. 5. This act shall be in force from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 4, 1850.

NELSON DEWEY.

An act to authorize the construction of a wharf in the city of Milwaukee. Chap. 67.

*THE People of the State of Wisconsin represented in Senate
 and Assembly, do enact as follows:*

SECTION 1. It shall be lawful for the alderman of the fourth
 ward of the city of Milwaukee, to cause the construction of a sub- Alderman of
 stantial wharf, four feet in height, above the surface of the river, fourth ward to
 upon the established dock line, commencing on the Milwaukee construct
 river, at lot one, in block fifty-seven, in the fourth ward, and wharf.
 following the dock line along the west side of said river to the jun-
 ction of the Menominee river, and thence on both sides of said Me-
 nominee river, along the platted dock line to the line of the fifth
 ward, thence up the water basin, from its junction with the Menom-
 inee river to its western terminus, at the east line of the west half
 of south-west quarter of section twenty-nine, all within the limits
 of the fourth ward of said city of Milwaukee; also, to dredge, or
 excavate, the river in front of said wharves, at least one hundred
 feet in width, and of sufficient depth to afford safe and convenient
 navigation of the same for vessels of the largest class; the earth so
 excavated shall be deposited upon the lots opposite such excava-
 tion.

SEC. 2. To defray the expense of constructing said wharves, Tax upon lots
 and of dredging, or excavating the river in front thereof, as afore- to defray ex-
 said, under the direction of the alderman thereof, a special tax penses.
 upon each of the said lots fronting on said improvements, in proportion
 to the extent of front of each such lot, which tax shall be collected
 in the same manner as is now provided by law for the assessment
 and collection of taxes in the city of Milwaukee.

SEC. 3. The said alderman shall cause notice to be given to
 all persons interested by publication in some daily newspaper pub- Notice to be
 lished in the city of Milwaukee for thirty days, which notice shall published thir-
 state the number of the several lots and blocks, included in the ty days.
 first section of this act, the names of the owners thereof, if known, a

specification of the work to be done, and the length of time in which the improvement is required to be made by the owner or owners, of the several lots therein specified.

Owner of lots may make wharf, or dredge.

SEC. 4. The owner or owners, of any of the said lots may make, or cause to be made, a wharf, and dredge, or cause to be dredged, the river in front of his or their lot or lots, in pursuance of the first section of this act, and no tax or assessment shall be levied or collected upon any such lot or lots: *Provided*, The same shall be completed within six months after the first publication of the notice required to be given by the third section of this act.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 4, 1850
NELSON DEWEY.

Chap. 68. An act to authorize Canfield J. Marsh to build and maintain a bridge across Fox river.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Authority to build bridge.

SECTION 1. That Canfield J. Marsh, his associates, successors or assigns, are hereby authorized to erect, build, and maintain a bridge across Fox river, at the foot of Pine street, in the village of Hamilton, Marquette county.

Bridge to be free.

SEC. 2. Said bridge shall forever remain free of toll for crossing the same, and shall be constructed with a draw capable of letting boats pass and repass through the same without delay, and shall in no manner interrupt the free navigation of said Fox river.

How built.

Persons injuring bridge how punished.

SEC. 3. Any person or persons committing any malicious injury to said bridge, now or hereafter to be constructed under the provisions of this act, shall be liable to the owner or owners thereof, for the amount of injury done; and all damages sustained, may be collected before any court having competent jurisdiction, and in addition thereto, upon conviction therefor, shall be punished in the manner prescribed by laws for offences of that nature.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 4, 1850.
NELSON DEWEY.

Chap. 69. An act in relation to the county court of Brown county.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county court of Brown county shall be held at such place in said county, as the circuit court is now or may be hereafter held in said county.

MOSES M. STRONG,

Speaker of the Assembly:

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 4, 1850.

NELSON DEWEY.

An act for the payment of the mileage of the members of the legislature.

Chap. 70.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of any money now in the state treasury the sum of fifteen hundred and sixty-two dollars and forty cents, to pay the mileage of the lieutenant governor and members of the senate and assembly, to be paid to each of them by the treasurer, according to the certificate of the presiding officer of each house countersigned by the chief clerks of each house.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 5, 1850.

NELSON DEWEY.

An act to pay the expenses of the legislature for the year 1850.

Chap. 71.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of the state treasury the following sums of money, to wit:

To the lieutenant governor, the sum of one hundred and seventy dollars, and members of the senate each, eighty-five dollars, and to each member of the assembly eighty-five dollars, as their per diem pay up to the eleventh day of February, A. D. 1850, inclusive.

*Lt. Gov. mem-
bers of senate
and assembly.*

To the chief clerk of the senate one hundred and seventy dollars as his pay for services at the present session of the legislature up to the eleventh day of February, A. D. 1850, inclusive. Also, three hundred and sixty-two dollars to pay the assistants employed by him.

*Chief clerk of
senate and as-
sistants.*

To the chief clerk of the assembly one hundred and seventy dollars as his pay for services at the present session of the legislature up to the eleventh day of February, A. D. 1850, inclusive. Also, five hundred and fifty-six dollars to pay the assistant officers employed by him.

*Chief clerk, of
assembly and
assistants.*

Sergeant-at-arms of senate and assistants.

To the sergeant-at-arms of the senate, eighty-five dollars as pay for his services at the present session of the legislature, up to the eleventh day of February, A. D. 1850, inclusive. Also, two hundred and fifty-five dollars, to pay the assistants employed by him.

Sergeant-at-arms of assembly and assistants.

To the sergeant-at-arms of the assembly, eighty-five dollars as pay for his services at the present session of the legislature up to the eleventh day of February, A. D. 1850, inclusive. Also, two hundred and fifty-five dollars to pay the assistants employed by him.

Speaker of Assembly.

To the speaker of the assembly, eighty-five dollars in addition to his per diem pay as member of the assembly.

Jan. Helpin.

To James Helpin, eighty-five dollars for his services during the present session of the legislature in sweeping halls, governor's, secretary's, and library rooms, and keeping on fires in said rooms.

SEC. 2. This act shall take effect and be in force immediately after its passage.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 5, 1850.

NELSON DEWEY.

Chap. 72.

An act to appropriate to F. F. Davis the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

F. F. Davis.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to F. F. Davis the sum of one hundred seventy-one dollars and sixty-two cents, in full for boarding and clothing furnished the following state prisoners to January 1, 1850, viz : Swatzen, Powderly, Harkins, Forbs, and Fouls.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 5, 1850.

NELSON DEWEY.

Chap. 73.

An act to appropriate to James Giddings the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

James Giddings.

SECTION 1. There is hereby appropriated to James Giddings, to be had out of any money in the treasury, not otherwise appro-

printed, the sum of eighty-four dollars, in full for selecting state lands.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

An act to appropriate to I. M. Lapham the sum therein named.

Chap. 74.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to the person I. M. Lapham herein named, to be paid out of any funds in the state treasury not otherwise appropriated, the following sum, to wit:

Sec. 2. To I. M. Lapham, eighty-one dollars, in full for services for executing wood engravings of plans for school buildings.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

An act to appropriate to Lyman Chapin the sum therein named.

Chap. 75.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there be, and hereby is appropriated out of any money in the state treasury, not otherwise appropriated, to Lyman Chapin the sum of seventy dollars, in full for the interest pin due on canal bond number fifty-four, up to December 20, 1849.

MOSES M. STRONG,
Speaker of the Assembly.
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

An act to appropriate to Mathew Wood the sum therein named.

Chap. 76.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to Mathew Wood

Wood the sum of sixty-four dollars, in full for boarding and clothing of Jesse Reed a state prison convict.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 77.

An act relative to the account of David T. Dickson, state printer.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the sum of two thousand six hundred and eighteen dollars and ninety six cents, (\$2,618 96) be, and hereby is appropriated to David T. Dickson, state printer, out of any moneys in the treasury not otherwise appropriated, for printing bills for the use of the state.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 78.

An act for the relief of Rev. H. Walter Reed.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to Rev. H. Walter Reed the sum of fifty dollars for services as chaplain at the last session of the legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 79.

An act to authorize the board of public works to construct draw bridges across the Portage canal.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of public works for the improvement of the Fox and Wisconsin rivers, are authorized and instructed to locate and make contracts for the construction of such bridges.

Authority to
to construct
bridges.

(with the necessary draws) as may be deemed by them necessary and proper, across the Portage canal.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

An act to incorporate the Columbia County Female Seminary.

Chap. 80.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. Henry Merrill, H. Best, Hugh McFarlane, James T. Lows, Joseph Kerr, Isaiah Robinson, Thomas Robertson, Charles Rockwood and William T. Bradley, and their associates and successors are hereby created, and declared to be a body corporate, by the name and style of the "Columbia County Female Seminary," to be located at some place within said county to be selected by the trustees, for the purpose of educating females. Corporators.

Sec. 2. Said corporation shall have all the powers and privileges, and be subject to all the duties of a corporation agreeably to the provisions of the statute regulating corporations, so far as such provisions are applicable in such cases, and not inconsistent with the provisions of this act. Powers, privileges and duties of corporation.

Sec. 3. Said corporation shall have power to receive donations and bequests, which shall be applied in accordance with the design of the donor, and shall have power to hold real and personal property either in trust or otherwise. Corporation may receive donations.

Sec. 4. The affairs of said corporation shall be managed by a board of ten trustees, with the privilege of adding five to their number, a majority of whom shall constitute a quorum for the transaction of business; they shall have power to fill vacancies in their own body, to sell, lease, mortgage or otherwise dispose of any real or personal property of said corporation in such manner as they shall deem most conducive to the interests of the seminary; to erect and keep in repair all proper buildings for the use of the same; to prescribe and direct the course of study and discipline to be observed in said seminary; to remove or suspend any officer, tutor or trustee for incapacity, mal-conduct or neglect of duty, and to appoint others in their places; and to grant such literary honors and degrees as are granted by similar institutions in the United States, and in testimony of such grants, to give suitable diplomas, under their seal, which diplomas shall entitle the possessors, respectively, to the immunities and privileges which by usage or statute are allowed to the possessors of similar diplomas granted by other institutions of learning. Board of trustees—their powers and privileges.

Sec. 5. The persons named in the first section of this act shall First trustees

be the first trustees, and shall remain in office one year and until their successors are appointed.

Power of trustees to organize Normal School

SEC. 6. Said trustees shall have power to organize and establish a "Normal School Department," for the education and training of females, with a view to become teachers in the common schools in this state, under such rules and regulations as they shall from time to time establish.

No religious test required.

SEC. 7. No religious test or qualification shall be required from any pupil, trustee or other officer of said corporation, for admission to any privilege in the same.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 81. An act to repeal the fourth section of an act entitled "An act to repeal an act entitled 'An act to vacate a part of a territorial road from Burlington to Delevan, approved, March 6th, 1848,'" to re-establish said road, and to provide for the appraisement of damages thereon, and for opening the same, approved August 19, 1848.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. The fourth section of an act entitled "An act to repeal an act entitled 'An act to vacate a part of a territorial road from Burlington to Delevan, approved March 6th, 1848,' to re-establish said road, and to provide for the appraisement of damages thereon, and for opening the same," approved August 19th, 1848, is hereby repealed, so far as the same relates to the said road in the town of Delevan, but no further.

SEC. 2. This act to be in force and effect from and after its passage.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 82. An act authorizing the construction of a bridge across the south branch of the outlet of Lake Winnebago.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Authority to build bridge.

SECTION 1. That Harrison Reed, James D. Doty and Curtis Reed, and their associates, have authority to build, construct and maintain a bridge across the south branch of the outlet of Lake

Winnebago at the point where the state roads from Manitowoc, Green Bay, Waupun, and Winnekonna, intersect the same in the town of Neenah. Said bridge commencing on fractional section twenty-six, on the main land across the river, to the line dividing sections twenty-two and twenty-three, on Doty Island.

SEC. 2. The said bridge shall forever remain free from toll for ^{To be free.} passing the same, and shall be constructed with a draw over the channel of said outlet of Lake Winnebago, not less than fifty feet wide. The owners of said bridge shall attend the draw, or cause the same to be attended, so as to pass and re-pass all boats, vessels and other water craft, at all times free of expense and without unnecessary delay or interruption, and be liable for all damage that may occur to any person or persons in consequence of any insufficiency of said bridge or by any bad management of the draw of the same.

SEC. 3. Any person or persons who shall do any wilful or malicious injury to said bridge, shall be liable to the owner or owners for wilful injury thereof, for the amount of such damages to be recovered in any court of competent jurisdiction, and in addition thereto, upon complaint being made, may be punished as now provided by law for injuries of that nature.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February, 5, 1850.

NELSON DEWEY.

An act to provide for laying out and establishing a state road from Waukesha, in Waukesha county, to Whitewater, in Walworth county, via Palmyra, in Jefferson county. Chap. 83.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. David J. Powers, George G. Williams and John Fish, are hereby appointed commissioners to lay out and establish a state road from the village of Waukesha, in the county of Waukesha, via the village of Palmyra, in Jefferson county, to Whitewater, in Walworth county, adopting so far as they may deem proper, the present territorial road from Fort Atkinson to Waukesha, via Whitewater and Palmyra. Commissioners

SEC. 2. No money shall be drawn from the treasury of the state to pay for laying such road or for any damages incurred thereby.

SEC. 3. This act shall take effect and be in force from and after its passage.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 84.

An act to organize the county of Calumet for judicial purposes

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. From and after the first day of April next, the county of Calumet shall be fully organized for judicial purposes, and shall enjoy all the rights and privileges appertaining to other counties so organized in this state.

When organization to take effect.

Courts to be held.

SEC. 2. There shall be held in the said county of Calumet two terms of the circuit court, to be holden by the judge of the fourth judicial circuit of this state, on the first Tuesday of May and on the Tuesday succeeding the second Monday of November in each year, and all prosecutions, complaints, suits, actions, or other proceedings, either in law or equity, of which the circuit courts of this state have jurisdiction, arising within the limits of said county of Calumet, after the said first day of April next, shall be heard, tried, and determined in said circuit court: *Provided*, That all writs, process, appeals, recognizances, or other proceedings commenced in the circuit court of Fond du Lac county, prior to the said first day of April next, shall be prosecuted to final judgment, and execution issued thereon and returned in the same manner they might or could have been, had this act not passed.

Process &c.

When courts to be held.

SEC. 3. The first two terms of the circuit court of said county shall be held in the Mission school house, in the town of Stockbridge in said county; and thereafter the board of supervisors may, if they deem it for the best interests of a majority of the inhabitants of the county aforesaid, remove said courts to some other place in the said county of Calumet.

Officers to be elected.

SEC. 4. There shall be elected at the annual town meetings of the several towns of said county on the first Tuesday of April next, a county judge, sheriff, clerk of the circuit court, and district attorney, and the returns of the election of said officers shall be made to the clerk of the board of supervisors within ten days after said election.

Term of office.

SEC. 5. The judge of the said county shall hold his office until the first day of January, one thousand eight hundred and fifty-four, and the sheriff, clerk of the circuit court, and district attorney until the first day of January one thousand eight hundred and fifty-one, and until their successors are duly elected and qualified.

When to vote for county seat

SEC. 6. Whenever the valuation of the taxable property of said county shall be equal to the sum of five hundred thousand dollars, it shall be lawful for the qualified electors of said county to vote for locating permanently the county seat, and it shall be the duty of the clerk of the board of supervisors, at least ten days before the time of such election to cause to be posted in the several towns notices thereof.

How votes cast.

SEC. 7. All votes cast for locating the county seat shall be by ballot, and each ballot shall contain the name or an accurate description of the place voted for, and that place which shall have a majority of all the votes cast on such location, shall be and remain the county seat of said county.

SEC. 8. In case a majority of the votes shall not be cast for any one of the places voted for, it shall be the duty of the clerk of the board of supervisors within three months after said election, to give notice in the manner hereinbefore described, of a second election, at which the places having the two highest number of votes at the previous election shall be voted for, and the place which shall then have the highest number of votes, shall be permanently the county seat of said county. When no selection, to take a second vote.

SEC. 9. It shall be lawful for the county officers to keep their offices at their residences in any part of the county, until the county seat is permanently located, any law to the contrary notwithstanding. Where offices to be kept.

SEC. 10. All laws requiring the county of Calumet to pay a percentage to other counties for court expenses are hereby repealed. Repealed.

SEC. 11. This act shall take effect and be in force after its passage.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

An act to appropriate to Simeon Mills the sum therein named.

Chap. 85.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to Simeon Mills, to be paid out of any money in the treasury not otherwise appropriated, the sum of forty-one dollars and seventy-two cents, being the amount of Auditor's Warrant No. 324, issued for the above amount to David Holt, Jr., upon an act of appropriation, "approved March 31, 1849," and payable out of the University fund, which warrant has been surrendered up by said Mills to be cancelled. Simeon Mills.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

An act to amend an act to incorporate the village of Madison.

Chap. 86.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the district school and school districts in the village of Madison, shall hereafter be regulated and controlled in How district schools to be

like manner, and to the same extent as other districts, and district schools in the town of Madison, and all authority of the trustees of said village over public schools shall from and after the first day of March next cease and determine.

How school funds levied and disbursed.

SEC. 2. That all school funds, and all school or school house taxes, levied and collected after the year 1849, for any school district in said village, shall be levied, collected, and disbursed in the same manner as in other school districts in the town of Madison.

Duty of Superintendent.

SEC. 3. The superintendent of common schools of the town of Madison, shall have power, and it is hereby made his duty, to district said village as a part of said town of Madison, without regard to its limits, and to cause special elections to be held in each new district formed, and the officers so elected shall hold their respective offices until others are elected and qualified in their stead.

To levy tax to build side walks.

SEC. 4. The trustees of said village shall have power to construct side walks, upon any street, side of street or block and to levy and collect a special tax upon every lot or part of lot fronting on any such side-walk, according to its respective front.

To drain marsh, &c.

SEC. 5. The trustees of said village shall also have power to levy and collect a special tax, upon the lots lying in whole or in part, in the marsh or pond south-west of the capitol square, between King and Morris streets, in said village, for the purpose of draining the same, whenever in their opinion health or the public good will be promoted thereby.

SEC. 6. All acts and parts of acts contravening the provisions of this act are hereby repealed.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 7, 1850.

NELSON DEWEY.

An act to authorize the board of supervisors of Sheboygan county to erect county buildings.

Chap. 87.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

To levy tax to build county buildings.

SECTION 1. The board of supervisors of Sheboygan county before the first day of July eighteen hundred and fifty, shall levy a tax, to be assessed, levied, and collected in the same manner as county taxes in said county for the purpose of building a suitable county jail, and at their first annual meeting in eighteen hundred and fifty-one, they shall levy a tax to be assessed, levied, and collected in the same manner as county taxes in said county, for the purpose of building a suitable court house with rooms for county offices, which building shall be erected at the county seat of said county, and the said taxes shall be so levied and collected, that one half of the expense of erecting said buildings shall be paid by the town of Sheboygan, in said county, and one half by the remaining towns in said county.

Sec. 2. The electors of the county of Sheboygan, on the first Tuesday of April next, may vote "for county buildings, or against county buildings" in favor or against the adoption of the last preceding section of this act, and if a majority of the votes cast upon the said question shall be for county buildings, then the said section shall take effect on the first Monday of June next, but if a majority of the votes shall be against county buildings then said section shall be void and of no effect.

Sec. 3. No person shall be authorized to vote for the purposes specified in the first section of this act, who shall not have been at least twenty days a resident of such county immediately preceding such election.

MOSES M. STRONG;

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY:

An act to incorporate the Manitowoc and Manitowoc Rapids plank road company. **Chap. 89.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That Alden Clark, Pliny Pièce, Oliver C. Hubbard, T. A. H. Edwards, E. H. Ellis, Richard Klinghoby, Thomas W. Baker, Martin Haywood, Thomas Fraeton and Marshall S. Morse and such other persons as shall associate with them and become stockholders pursuant to the provisions of this act shall be and hereby are created and made a body corporate and politic, in fact, and in name by the name of "The President and Directors of the Manitowoc and Manitowoc Rapids Plank Road Company," and by that name they and their successors shall be persons in law, shall have a perpetual succession, and capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all courts and places whatsoever in all matters appertaining to said company.

Sec. 2. The said company shall have power to construct a plank road on the south side of Manitowoc river, from the village of Manitowoc to the village of Manitowoc Rapids in the county of Manitowoc; and with the privilege of erecting and maintaining a bridge across the Manitowoc river, on Washington street in the town of Manitowoc Rapids: *Provided*, The navigation of said river is not obstructed thereby, as the directors of said company, when duly elected by the stockholders, and organized, shall determine, and the route of said road between the points aforesaid, and they shall have power in their discretion to construct said road along and upon any road or highway now or hereafter to be laid out, opened and established by the proper authorities, and of such width, and in such manner as the said directors shall determine, and the

Qualifications
of electors.

When road to
be laid out.

Proviso.

tracks, side cuts or turn-outs upon the same may be made of any hard material so as to form a sufficiently firm and even surface.

Capital stock limited.

SEC. 3. The capital stock of said company shall not exceed the sum of ten thousand dollars, to be divided into shares of ten dollars, each, and shall be transferable in such manner as shall be prescribed in and by the bye-laws of said company, and each shareholder shall be entitled to one vote for each and every share of stock held by him either in person or by proxy duly authorized.

Business to be managed by five directors.

SEC. 4. The business and concerns of said company shall be conducted and managed by five directors, who shall be stockholders, and shall be elected annually on the first Monday in March, at such place as a majority of the directors shall appoint, and shall hold their office for one year and until others are chosen. And the said directors shall choose one of their number their president, and a majority of said directors shall be a quorum for the transaction of business.

May make bye-laws.

SEC. 5. The said directors or a majority of them shall have power to make such bye-laws, rules and regulations as they shall deem requisite for the management of the concerns of said company, not inconsistent with the laws of this state, and also to appoint such agents and officers as may be necessary to carry out the objects of this corporation.

May receive subscription to stock, &c.

SEC. 6. The persons named in the first section of this act or any two of them shall be commissioners to open books and receive subscriptions to the capital stock of said company at such times and places as a majority of them shall determine upon, and whenever two thousand dollars of such capital stock shall be subscribed for, and five per cent paid thereon, said commissioners shall call a meeting of the stockholders of said company, by giving ten days public notice of the same in a newspaper published in the county of Manitowoc, or by posting two notices of the same in two public places, one in the village of Manitowoc, and the other in the village of Manitowoc Rapids, for the purpose of electing directors of said company who shall hold their office until the first annual election thereafter, and until others are elected, and the directors shall be authorized to call in and require the payment of the balance of the stock subscribed for, in such instalments as the progress in the construction of said road, and as the interests of the company shall require, not exceeding ten per cent. in any one instalment.

To locate road.

SEC. 7. It shall and may be lawful for said company, their officers, engineers, and agents, to enter upon any lands for the purpose of exploring, surveying and locating the route of said road, doing thereto no unnecessary damage, nor locating such route through any orchard or garden, nor through any building or any fixtures, or erections for the purposes of trade or manufactures, without permission from the owner thereof, and when said route shall be determined by said company, it shall be lawful for them or any person or persons in their employ, at any time to enter upon, take possession of, and use such lands to the width of four

rods, and also to take from any lands adjoining said road gravel stone or earth, for the purpose of constructing or repairing said road, subject however to the payment of such compensation as the company may have agreed to pay therefor, or as shall be ascertained in the manner hereinafter directed and provided.

SEC. 8. Whenever it shall be necessary for the said company to enter upon and occupy for the purpose of making said road any land upon which the same may be located, and the owner or owners of said land shall refuse to permit such entry or occupation and the parties cannot agree upon the compensation to be made for any injury that may be done to said land by such entry and occupation, it shall and may be lawful for the parties to appoint three disinterested persons to estimate such damage, who shall take an oath or affirmation fairly and impartially, to estimate the same, and who shall be residents of the county where the land lies. The expenses incurred by said appraisers shall be defrayed by said company, but if the parties cannot agree upon such persons, or if the persons so chosen shall not decide upon the matter, or if the owner of such land shall refuse or neglect to join in such appointment, within twenty days after the requisition for that purpose upon him made, or if any such owner shall be under legal disability or out of the State, then it shall be lawful for the clerk of the circuit or county court, where the land lies, on application of either party, at the cost and charges of said company to appoint three disinterested persons of said county, to view and examine said lands and estimate the injury or damage, if any in their judgment will be sustained, as aforesaid, by reason of the location of said road, and report the same under oath or affirmation to the circuit or county court of said county, which report being confirmed by said court, judgment shall be entered thereon. The said viewers shall each be entitled to two dollars per day for their services, to be paid by the said company in all cases where the damages shall be assessed to a greater amount than the sum that may have been tendered by the said company for the use of said land, or be paid by the owner or owners in all cases where the assessed damages shall not be greater than the sum thus tendered: *Provided*, That in case the owner of such land shall be under any legal disability the cost of assessment shall be paid by said company, and it shall be the duty of the appraisers in estimating such damages to take into consideration the advantages that may accrue to the owner of said lands from the construction of said road: *Provided further*, That either party may appeal to either of said courts within thirty days after such report may have been filed in the clerks office and such appeal shall be tried as other issues arising in said court: *And provided also*, That upon payment or tender of payment of the sum specified in the report of said viewers or appraisers to the owners of said lands, or a deposit of the same for their benefit with the clerk of the circuit or county court in which the land is situate, the said compa-

Company may enter upon and occupy lands.

Expenses incurred, how paid.

Compensation.

Proviso.

ny may immediately take and use the same without waiting the issue of said appeal.

Toll gate and rates of toll.

SEC. 9. The said directors shall have power to erect a toll gate at any place on said road where they may determine, and may demand and receive tolls for the whole of said road, not exceeding six cents for every vehicle drawn by one or two animals; for every score of sheep, swine or neat cattle, three cents, and in the same proportion for any quarter or less number of cattle, sheep or swine; for every horse and rider or lead horse, three cents, and for any part of said road the toll shall be in the same proportion. No toll shall be received of any person actually going to or returning from any religious meeting on Sunday, or from any person liable to do military duty while actually going to or returning from any military parade or review, at which their attendance shall be by law required. And the toll gatherer at said gate, erected on said road, in pursuance of this act, may detain and prevent from passing such gate any vehicle, carriage or animal, subject to toll until the toll thereon is paid.

Offences.

SEC. 10. Any person who shall wilfully break or throw down any gate on said road, which may have been erected in pursuance of this act, or shall do any damage to said road or forcibly or fraudulently pass any such gate without having paid the legal toll, or to avoid the payment of the legal toll, shall with his or her team, vehicle, carriage or animal, turn out of said road or pass around such gate for the purpose of avoiding such toll, and return again on said road, shall for such offence forfeit a sum not exceeding ten dollars, to and for the use of said company, and also for all the damages of said company, to be recovered by said company in the name of the president and directors of the Manitowoc and Manitowoc Rapids plank road company, in an action of trespass.

Debts, &c., not to exceed fifty per cent on capital.

SEC. 11. The debts and liabilities of said corporation shall not exceed in amount at any one time, fifty per cent. of its capital actually paid in, and if debts and liabilities shall at any time be incurred to a greater amount than by this section is provided for, the directors of said company shall be jointly and severally, individually liable for such excess in addition to their own liabilities at law as provided for in this act.

Individual liability.

SEC. 12. The property of every individual which may be invested in said corporation shall be liable to be taken in execution for the payment of his or her debts, in such manner as is or may be provided by law: *Provided*, That all debts due said company from such individual shall be first paid.

Abuse of privileges.

SEC. 13. If said company shall misuse or abuse any of its privileges hereby granted, the legislature may resume all and singular the rights and privileges vested in said company by this act, and may establish rules and regulations for the government of said company in relation to said road and the use of the same.

County liable.

SEC. 14. That said company shall be liable for all injury or damage which any person may sustain in his person or property

by reason of the said road being out of repair or of any defect in said road.

SEC. 15. This act may be altered or amended by any future legislature of the State of Wisconsin.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 5, 1850.

NELSON DEWEY.

An act to organize the town of Montecello in the county of La Fayette. **Chap. 90.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. So much of the county of LaFayette, as is com-^{Town, how or-}prehended within the following described boundary, be, and the ^{ganized.} same is hereby organized a separate town, by the name of Montecello; commencing on the state line at the quarter post, on the south line of section numbered thirty-five, in township numbered one, of range numbered two, east; thence north one mile and a half, to the centre of section numbered twenty-six in said township; thence east two miles, to the centre of section numbered thirty, of range three, east; thence north one mile and a half, to the quarter post on the north line of section numbered nineteen; thence east, three miles to the quarter post on the north line of section numbered twenty-two; thence south three miles to the state line of Illinois; thence west to the place of beginning.

SEC. 2. The first town meeting shall be held at the dwelling ^{Town meeting} house of Thomas Whiley in said town, on the first Tuesday of ^{where held.} April next, the day now provided by law for annual town meetings.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

An act to vacate a part of the town plat of the village of Marquette. **Chap. 91.**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. All that part of the town plat of the village of ^{Town plat va-}Marquette, in the county of Marquette, which is laid upon the ^{cated.} north-east quarter of section thirty-six, in town fifteen, range eleven; also all of said plat lying south of third street, and east of the quarter line; also blocks twenty-four and twenty-five, is hereby vacated.

SEC. 2. This act shall take effect from and after its passage.
MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.
 Approved February 7, 1850.
NELSON DEWEY.

Chap. 92.

An act to organize the county of Richland.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

County organized.

SECTION 1. That from and after the first day of May next, the county of Richland in this state, shall be organized for judicial purposes, and shall enjoy all the privileges and immunities of the other counties of this state. It shall form a part of the fifth judicial circuit, and the courts therein shall be held by the judge of said circuit.

Proceedings in courts removed.

SEC. 2. That all writs, process, appeals, recognizances, or other proceedings, which shall be pending undetermined in the circuit court of Iowa county, on the said first day of May next, which originated in courts of justice of the peace in said county of Richland, shall be removed back and be determined in said county of Richland.

Clerk in Iowa co., to transmit papers &c

SEC. 3. That on the said first day of May, the clerk of the circuit court of the county of Iowa, shall transmit all writs, process, appeals, recognizances, or other proceedings, originating as aforesaid, together with a transcript of the records in each case, to the clerk of the circuit court of Richland county.

Special election.

SEC. 4. That for the purpose of carrying out the provisions of this act, the legal voters of Richland county may hold a special election on the first Tuesday of April next, in the respective towns or precincts of said county, for the election of such county officers as are required by law to be elected at annual elections, whose terms of service shall commence on the said first day of May next, and continue until said terms shall expire by law. There shall also be elected by the qualified electors of said county of Richland, at a special election to be held at the several towns or precincts of said county; on the first Tuesday of June next, a county judge, who shall hold his office until the first day of January A. D. 1854, and until his successor is elected and qualified.

Elections how conducted.

SEC. 5. That the said elections shall be conducted in all respects, and the votes canvassed and returned in the same manner as is now provided by law in relation to the election of county officers.

Terms of court.

SEC. 6. That the judge of the said fifth judicial circuit shall hold courts in the said county of Richland, semi-annually; one term on the last Tuesday of April, and another on the second Tuesday of September in each year.

SEC. 7. That at the annual election of 1851, the voters qualified, as hereinafter provided, shall deposit with the inspectors of elections in the several towns or precincts in said county, a ballot, on which shall be printed or written, or partly printed and partly written, the name of the place voted for as the county seat of said county; and the place receiving a majority of all the votes cast at said election on that subject, shall be declared the county seat of said county: *Provided*, That if no place shall receive a majority at said election, the question shall be submitted in the same manner at each succeeding annual election, until some one place receive such majority. Vote on county seat.

SEC. 8. Whenever the county seat shall be established, as provided in the eighth section, the board of county supervisors of said county shall take such measures as they may deem proper to obtain funds to erect county buildings in said county. County buildings.

SEC. 9. The sheriff of the county of Iowa is hereby required to give the legal notice of the election required to be held in said county of Richland, on the first Tuesday of April next, as the law directs. Sheriff Iowa co., to give notice of election.

SEC. 10. All records of Iowa county, relating to persons or property in said Richland county, shall be free of access to, and be free of charge to the proper officers of Richland county, to transcribe.

SEC. 11. That every free white male inhabitant, who shall have resided in said county six months next preceding any annual election, shall be deemed a qualified voter at such election, for the purpose of permanently locating the county seat of said county. Who are qualified voters.

SEC. 12. That until the county seat of said county shall be located, as provided in the seventh section of this act, the courts for said county shall be held, and all county business shall be transacted, at Richmond in said county. Richmond to be present county seat.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and Pres't of the Senate.

Approved February 7, 1850.

NELSON DEWEY.

An act to amend an act entitled "an act to incorporate the Madison and Oconomowoc plank road company." Chap. 93.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That Norman Clinton, Michell D. Bacon, William Crombie, Daniel W. Kellogg, Andrew Proudfit, N. P. Hawks, Silas Barber, John D. McDonald, Samuel C. Leavitt, H. N. Carlton, Austin Kellogg, D. M. Aspinwell, Charles J. Bell, Charles Gennung, Thomas Brayton, Royal Tyler Milard, and David H. Hyer, be, and they are hereby appointed commissioners under the direction of a majority of whom subscriptions may be received to Commissioners appointed.

the capital stock of the Waukesha, Jefferson county, and Madison plank and turnpike road company; and they shall cause books to be opened at such times and places as they shall direct for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days notice of the time and place of taking said subscriptions, by publishing the same in a newspaper in each of the counties of Waukesha and Jefferson.

Name and
style of com-
pany—powers
&c.

SEC. 2. All persons who shall become stockholders pursuant to the provisions of this act are hereby created a body corporate in law, with perpetual succession, by the name and style of the "Waukesha, Jefferson county, and Madison plank and turnpike road company," for the purpose of constructing a plank and turnpike road from the village of Waukesha, in Waukesha county, to the village of Delafield, thence through Summit Centre to the junction of the Watertown and Madison roads, in the town of Concord in Jefferson county, thence through the town of Farmington to the village of Aztalan and Lake Mills to Madison, and shall have power to connect with other plank and turnpike roads, at such places as the board of directors may determine; and shall also have power to construct a single or double track plank and turnpike road from the junction of the Watertown and Madison road in Concord Jefferson county, to the village of Jefferson in Jefferson county, which said company shall have power to sue and be sued, in all courts, to receive by gift or purchase, and hold all such real or personal estate as may be necessary for the construction and management of said road, and to contract and be contracted with, in all matters pertaining to the object of said road, to have and to use a common seal, and pass all bye-laws necessary for the government of said company.

Capital stock
\$65,000.

SEC. 3. The capital stock of said company shall be sixty-five thousand dollars, to be divided into shares of twenty-five dollars each, and shall be assignable and transferable in such manner as shall be prescribed in the bye-laws of said company.

Duty of com-
missioners.

SEC. 4. Whenever ten thousand dollars of the capital stock of said company shall be subscribed, it shall be the duty of the commissioners named in this act to call a meeting of the stockholders, at such time and place as they shall designate, by giving public notice in two or more newspapers published in either of the counties through which the said road is run, for the purpose of choosing seven directors, and the persons then chosen, shall be the first directors of said company, and shall hold their offices for one year and until others are chosen in their stead. The board of di-

Duty of Direc-
tors.

rectors shall choose one of their number as president of the company, who shall also hold his office for one year, and until his successor is elected. At any [and] every election of directors of said company, each stockholder shall be entitled to one vote for every share of capital stock he shall hold, and may vote in person or by proxy.

SEC. 5. The company so organized shall have the right to locate and construct a single or double track plank and turnpike

road, between the points mentioned in the second section of this act, or any part of the distance. The track of said road shall be constructed of plank, gravel, or charcoal, so as to have a hard, smooth, and even surface, the particular manner of building said road to be determined by the board of directors. Right to locate and construct road.

SEC. 6. That section one, two, three, four, and six, of the act entitled, "an act to incorporate the Madison, and Oconomewoc plank road company," approved March 11, 1848, are hereby repealed.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

An act to authorize the construction of a dam across Rock River.

Chap. 94.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Ira Miltimore, his associates, successors, and assigns, are hereby authorized to erect and maintain a dam across Rock river, at any point he or they may deem most suitable, on any land he or they or either of them may own, in sections twenty-one, twenty-two, twenty-seven, and twenty-eight, in town number two, of range twelve east, and to make use of the water in said stream for propelling any kind of machinery he or they may see fit to erect, and to sell or lease the right to use said water to any person whatsoever: *Provided*, Said dam shall be so constructed as not to interfere with any water privileges now improved on said river. Authority to build dam.

SEC. 2. As soon as Rock river shall be improved and rendered navigable to said dam, the owners of said dam shall construct a convenient lock, not less than one hundred feet long between the gates, and not less than twenty-four feet wide in the clear of the chamber, for the passage of boats, barges, and other water craft, said lock to be in readiness for the passage of boats, barges, and other water craft when said river shall be improved, and the proprietors of said dam shall maintain said lock, and shall attend the passage of all boats, barges, and water craft through said lock free of all charges to the owners thereof. Lock to be built.

SEC. 3. The said Ira Miltimore, his successors, associates, and assigns shall, whenever they construct said dam, also construct a slide or chute, To construct a slide or chute. as well as to permit the ascent and descent of fish over said dam, as well as to permit the ascent and descent of fish in said stream.

SEC. 4. The legislature may at any time after or amend this act.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

Chap. 95.

An act to authorize the construction of a bridge across Fox river.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Incorporation.

SECTION 1. That E. W. Davis, Reeder Smith, and N. P. Stevens, and such other persons as shall associate with them be, and they are hereby incorporated by the name and style of "the Appleton Bridge company," and by such name may sue and be sued, plead and be impleaded, in any court in this state, and may have a common seal, and may change the same at pleasure.

Commissioners appointed.

SEC. 2. That said E. W. Davis, Reeder Smith, and N. P. Stevens, and such other persons as they may appoint, are hereby appointed commissioners to receive subscriptions to the capital stock, and shall open books for subscriptions at such times and places as the said commissioners shall appoint, until the capital stock of said company shall be taken.

Capital stock.

SEC. 3. The capital stock of said company shall be three thousand dollars, and shall be divided into shares of twenty-five dollars each, and the said company shall have power to increase the capital stock to not exceeding five thousand dollars.

Power to build bridge.

SEC. 4. The said company shall have power to build the said bridge from the village of Appleton, on block fifteen, across Fox river at any point they may select, and shall have power to rest the said bridge on the eastern bank of said river, and to take so much land as may be necessary for that purpose: *Provided*, No unnecessary damage shall be done thereby; and in case the said company and the owners of the land shall be unable to agree upon the price of said land, the said company shall choose one appraiser, and the owners another, and the persons so chosen shall proceed to appraise the said land, and in case the said appraisers can not agree, they shall choose a third, and the price at which the three appraisers shall appraise the said land shall be paid by said company.

Power to make bye-laws.

SEC. 5. The said company shall have power to make bye-laws for the regulation of the concerns of the said company: *Provided*, The said bye-laws shall not be repugnant to the laws of Wisconsin.

Dimensions of bridge.

SEC. 6. Said bridge shall not be less than twelve feet wide, and shall be constructed with a draw over the channel of the river, not less than fifty feet wide, and the said company shall attend to the said draw so as to permit boats and vessels to pass through

the same at all times free of charge, and without unnecessary delay.

SEC. 7. The company shall have power after the completion of the bridge, to demand and collect toll for passing the same, as follows: For any vehicle drawn by one horse, ten cents, for any vehicle drawn by two horses or oxen, twenty-five cents, and for each additional horse or ox, five cents, for a single horse, five cents, for all animals in droves of less than fifty, three cents each, and for all over fifty, two cents each: *Provided*, The said company may have power to charge a less rate of toll in their discretion. Rates of toll

SEC. 8. The said company shall keep posted up in some conspicuous place on the said bridge, a list of the rates of toll to be paid for crossing.

SEC. 9. Any future legislature may alter or amend this act.

SEC. 10. This act shall be in force from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 7, 1850.

NELSON DEWEY.

An act to vacate part of the town plat of the village of Appleton in the county of Brown. Chap. 96.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. All that part of the town plat of the village of Appleton, described on the recorded plat thereof, as the south half of block ten, (10,) the south half of block eleven, (11,) blocks twelve, (12,) fifteen, (15,) sixteen, (16,) seventeen, (17,) eighteen, (18,) nineteen, (19,) twenty, (20,) twenty-one, (21,) twenty-two, (22,) twenty-three, (23,) and twenty-four, (24,) is hereby vacated.

SEC. 2. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

An act to amend an act entitled "an act to incorporate the trustees of the village of Mineral Point," approved January 11, 1844. Chap. 97.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That an act entitled an act to incorporate the trustees of the village of Mineral Point, approved January 11th, 1844, Former act amended.

be, and the same is hereby amended as follows, to wit: The power and right of the trustees of said village of Mineral Point to tax male residents for improving the roads and streets, commonly called a "poll tax," and also the right and power to levy and collect an annual tax on any and all property within the incorporate limits of said town, are hereby absolutely suspended.

Portion of previous act repealed.

SEC. 2. That portion of said act of incorporation conferring the power upon the trustees of said village, to organize school districts in said village, to receive the money coming from the county for the benefit of scholars in said village, and generally to have full control over all public schools in said village, and to take such measures for the benefit of public instruction as they may deem proper, is hereby repealed. And the sole and entire control of common schools and the school fund belonging to the town of Mineral Point, is hereby given to and vested in the proper school officers of the said town, the same as though the said village had never been incorporated, subject to the general provisions of law relating to common schools.

Votes to determine, &c.

SEC. 3. At any regular election for the choosing of village officers, it shall be competent for the qualified electors of the village to determine by vote whether they will raise any amount of money by tax for any of the purposes specified in the act of incorporation; and what amount, and for what purpose. And the method of voting and conducting the election for this purpose, shall be prescribed by the trustees of said village.

If tax authorized how levied.

SEC. 4. If a majority of the legal voters of said village shall at any such election determine to raise a sum of money for village purposes, in the manner before specified, then the trustees of said village shall have power to levy and collect a tax on all property subject to taxation in said village, sufficient to make the amount to be raised, which said tax shall be levied, assessed, and collected in the manner prescribed in said act of incorporation.

SEC. 5. Nothing in this act contained shall be taken or construed to in any way interfere with the corporate right to organized town of Mineral Point, or the town officers thereof, except as herein specified.

SEC. 6. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate,

Approved, February 7, 1850.

NELSON DEWEY.

An act to appropriate to Ransom Rice the sum therein named.

Chap. 98.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to Ransom Rice, two hundred and forty-three dollars, for board and safe keeping of Richard Johnson, a state prisoner, confined in Milwaukee county jail, from June 14th 1845, to October 14th 1846, to be paid out of any funds in the state treasury not otherwise appropriated. R. Rice.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to appropriate to Alexander Mitchell the sum therein named.

Chap. 99.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Alexander Mitchell the sum of one hundred and forty dollars, in full for interest on canal bond number 52, up to December 20, 1849, also the further sum of five dollars for territorial scrip number 641. Alex. Mitchell

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to incorporate the East Troy Academy.

Chap 100

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That Sewall Smith, Russell H. Mallory, Gaylord Graves, Jacob Burgit, Stephen Olney, Emery Thayer, Simon B. Edwards, Henry B. Clark, and Edward H. Ball, and their associates, together with such persons as may hereafter be associated with them, be, and are hereby created a body politic and corporate, with perpetual succession, by the name and title of the East Troy Academy, by which name they and their successors shall be forever known, and shall have power to sue and be sued, to contract and be contracted with, plead and be impleaded, defend and be defended in all courts of law and equity; said corporation shall have a common seal, and shall have power to acquire purchase, receive, possess, hold, and enjoy property, real and person- Trustees.

al, and the same to sell and convey, rent, or otherwise lawfully dispose of at pleasure.

Capital stock. SEC. 2. The stock of said company shall be divided into shares of twenty-five dollars each, which shall be deemed personal property, and shall be transferable on the books of said corporation in such manner as shall be directed by the by-laws of said corporation.

How meetings called. SEC. 3. Any three of the above named persons shall have power to call a meeting of said association, by giving ten days notice thereof, by posting up notices in at least three public places in the village of East Troy where said corporation is hereby located.

How trustees elected. SEC. 4. At such first legally notified meeting, the stockholders shall have power to elect by ballot nine trustees, three of whom shall be elected for one year, three for two years, and three for three years, and after the first election three trustees may be elected annually: *Provided*, That all trustees shall hold their office until others are elected in their place.

SEC. 5. At all elections and meetings of the company, each stockholder shall be entitled to one vote for each share of stock owned by him.

Powers of trustees.

SEC. 6. The trustees shall have power

1st. To elect from their number a president, secretary, and treasurer, also to elect all other officers of the corporation.

2d. To call special meetings of the stockholders to fill vacancies in the board of trustees.

3d. To sell, lease, mortgage, or otherwise dispose of any real or personal property of said corporation, in such manner as shall be directed by the stockholders, also to erect and keep in repair all necessary buildings for the use of said corporation.

4th. To employ suitable teachers, and prescribe and direct the course of study and discipline to be observed in said academy.

5th. To prescribe the duties and fix the salaries of all the officers of said corporation, and remove or suspend them from office for incapacity, immoral conduct, or misbehavior in office, and to appoint others in their places.

6th. To make all rules, regulations, and by-laws necessary or proper to carry into effect the powers herein granted, and not inconsistent with the constitution and laws of this state.

SEC. 7. No religious test or qualification shall be required of any trustee or officer of said corporation, nor of any student of said institution.

SEC. 8. This act may be altered or amended by any future legislature.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to pay Beriah Brown the sum therein named.

Chap 101

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That there be, and hereby is appropriated to Beriah Brown, out of any money in the treasury not otherwise ap- Beriah Brown-propriated, the sum of four hundred and forty dollars (\$440 00) in full for publishing laws in compliance with the order of the Secretary of State, for the year eighteen hundred and forty-nine.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

An act to appropriate to Robert L. Ream the sum therein named.

Chap 102

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is appropriated hereby to Robert L. Ream, R L. Ream- out of any moneys in the treasury, not otherwise appropriated, the sum of three hundred and forty-eight dollars, in full for one hundred and sixteen days service, recording appraisals of school and university lands.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

An act to authorize the State Treasurer to pay certain sums of money therein named

Chap 103

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the State Treasurer pay over to James Hutchinson, clerk of the circuit court of Iowa county, in this State, for the use of the persons entitled thereto, the sum of forty-seven dollars and forty-five cents, being a part of the amount paid into the state treasury by James Morrison in the suit of the territory of Wisconsin against James Morrison, Abner Nichols and Levi Sterling, as costs in said case, and which has not been paid by the territory or state of Wisconsin.

J. Hutchinson.

SEC. 2. And that the State Treasurer is further authorized to pay to William Henry, and take his duplicate receipt therefor, the further sum of eight dollars for transcripts made and furnished the

Wm. Henry.

superintendent of territorial property for the use of the territory
of Wisconsin.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

Chap 104 An act to authorize the construction of a free bridge across the Fox river in the village of Oshkosh.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Authorized to build bridge. SECTION 1. That Edward Andrea, Henry Priese, Henry N. Gallup, David Evens, and such other persons as shall associate with them for that purpose, are hereby authorized to construct and maintain a bridge across the Fox river, from the foot of Bay street in the village of Oshkosh.

To be free. SEC. 2. The cost of constructing, repairing and attending said bridge shall be paid by voluntary subscription, and no person or persons shall ever be required to pay any toll for crossing the same.

To have a draw, &c. SEC. 3. There shall be a draw in said bridge, not less than fifty feet wide, and the owners of said bridge shall attend the draw, or cause the same to be attended, so as to pass or re-pass all boats, vessels and other water crafts, at all times free of expense, and without unnecessary delay or interruption, and be liable for all damages that may occur to any person or persons in consequence of any insufficiency of said bridge or any bad management of the draw of the same.

To be kept in repair, &c. SEC. 4. The said bridge shall be kept in repair by the said Henry Priese and associates, three of whom shall be chosen as trustees to take charge of said bridge, by the subscribers to the same, and notice of the selection of said trustees shall be published in one of the newspapers in the village of Oshkosh, and whenever said trustees shall be changed, similar notice shall be given, and the said bridge shall at all times be attended so as to pass all water crafts or rafts at all times free of expense and without delay.

Punishment for injuries. SEC. 5. That if any person or persons shall wilfully and maliciously injure, damage or destroy said bridge, or any part thereof, such person or persons shall, for every such offence, forfeit and pay the sum of fifty dollars to the owners thereof, to be collected in any court of competent jurisdiction, and pay all damages to the owners thereof, consequent upon such offence, over and above said forfeiture.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

An act to reduce the fees of Town Treasurers in certain cases.

Chap 105

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter fifteen, title five, of the Revised Statutes relative to "collection and return of taxes," is hereby so amended To post up notices. as to provide that the Town Treasurers of each town, on the receipt of the assessment roll for the current year, with the tax list annexed, shall forthwith post up notices in three or more public places in such town, that the taxes assessed and levied in such town are placed in his hands for collection, and that the taxes charged therein are subject to payment at his office, at any time prior to the twenty-fifth day of December in such year.

SEC. 2. On all taxes so paid or tendered at the office of such treasurer, prior to said 25th day of December, the said treasurer shall remit to the person so paying or tendering, three-fifths of the amount included in said list, as his fees for collecting such tax, so paid. Compensation.

SEC. 3. The said treasurer shall after said 25th day of December, proceed to collect the taxes charged in such list and remaining unpaid, in the same manner as is provided by law for the collection and return of taxes. How to collect

SEC. 4. So much of section seventy-two of chapter fifteen, title five, of the Revised Statutes, as relates to the pay of Town Treasurer for making their returns, shall be so construed as to mean one dollar for making their returns, and six cents per mile, one way, in transmitting the same. How Statutes to be construed

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act relative to the sale of intoxicating liquors to Indians in the county of La Pointe. Chap 106

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter thirty, "of the sale of intoxicating drinks to Indians" of the Revised Statutes of the state of Wisconsin, is hereby so amended as to give a justice of the peace jurisdiction in case of any offence being committed within the provisions of said chapter, within the county of La Pointe, and said justices of the peace, shall have power, upon conviction of such offences, to punish such offender by imprisonment in the county jail, not exceeding three months, or by fine not exceeding fifty dollars or by both at the discretion of the justice so trying the case, in addition to the powers heretofore conferred in such case. Revised Statutes amended.

SEC. 2. The provisions of this law shall extend to persons

Who included upon steamboats, vessels, schooners, or other water craft, and in law. any person so offending shall in all cases be punished in the manner prescribed by said chapter thirty, and the provisions of this act; and the person or persons in command of such boat, vessel, schooner or water craft, shall be liable for all such acts in violation of the laws committed thereon.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 107

An act for the relief of Harrison Reed and Albert B. Brien.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Authorized to enter certain lands.

SECTION 1. That Harrison Reed and Albert B. Brien, of the county of Winnebago, are hereby authorized and permitted to enter according to the provisions of an act passed by the legislature of the state of Wisconsin on the 8th of August, 1848, granting pre-emption rights to settlers, the following described lands: the said Harrison Reed the tracts of land known as the south half of the south-west quarter, and the south-west quarter of the south-east quarter, and lot No. five, (5) in section twenty-seven, (27) and the said Albert B. Brien, the tracts of land known as the south-east fractional quarter, and the east half of the south-west fractional quarter of section No. twenty-one, (21) all of which said above described lands are in township twenty, (20) range seventeen, (17) in the Fox and Wisconsin river reserve.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 108

An act to appropriate to J. D. Reymert the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

J. D. Reymert.

SECTION 1. That there is hereby appropriated to J. D. Reymert, seven hundred and fifty dollars, for fifteen hundred copies of the acts "entitled of common schools," of "highways and bridges," of "town and town officers," of "assessment and collection of taxes," at fifty cents per copy, according to an act passed on the thirty-first day of March, A. D. 1849, entitled an act to provide for printing certain laws in the Norwegian language, to be

paid out of any funds in the state treasury not otherwise appropriated.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to authorize the laying out of a state road therein named.

Chap 109

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION 1. That S. G. Pickett, B. L. Gibbs and Charles Billingshurst, are hereby appointed commissioners to lay out a state road from Sheboygan to Madison. Commissioners

SEC 2. The commissioners shall be entitled to such compensation for their services from the counties through which the road passes, as the supervisors shall deem just. Compensation.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

An act to authorize a settlement with the Receiver of Canal Lands.

Chap 110

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The governor, secretary of state, and treasurer, are hereby authorized and empowered to settle with and audit the accounts of David Merrill, receiver of canal lands, and to ascertain the balance due from said Merrill to the state of Wisconsin. Authorized to settle, &c.

SEC. 2. That after such balance shall be ascertained, it shall be the duty of the said Merrill immediately to pay the same over, in full, to the state treasurer, and to deliver over to the same officers all books, papers, vouchers, bonds and mortgages, which may have come to his hands as such receiver, and the said treasurer is hereby authorized to receipt for the same, and such receipt shall have the effect to discharge the said David Merrill as such receiver and his sureties from all claim, demand, or liability, to the state of Wisconsin, for or on account of all and every act, transaction or doing of such receiver, and to discharge all suits, indictments, actions or causes of actions, that may have been instituted, commenced or prosecuted, or which may have accrued to the state against the said Merrill as such receiver, or his sureties: *Provided*, The Provisional settlement herein authorized shall be effected before the first day of July next. Merrill to pay balance.

Provided, The Provisional settlement herein authorized shall be effected before the first day of July next.

State guaran-
tees Merrill
against loss.

Sec. 3. That the state hereby guarantees to indemnify and save harmless the said Merrill and his sureties, against all and every claim of title or demand, which may be set up, prosecuted or enforced by any person or persons, corporation or corporations, or by the United States, to, for, or upon the monies which may have come to the hands of such receiver in his character as such, or to, for, or upon such books, papers, vouchers, bonds and mortgages, as he may heretofore have paid or delivered to the treasurer of the territory of Wisconsin, and which he shall hereafter pay and deliver to the treasurer of the state of Wisconsin: *Provided*, The said David Merrill complies with all the provisions of this act.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 8, 1850.

NELSON DEWEY.

Chap 111 An act for the relief of certain school districts in the towns of Granville and Milwaukee in the county of Milwaukee.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Time extended

SECTION 1. The time for the district clerks to make their reports, as provided in section thirty, chapter nineteen, in the Revised Statutes, is hereby extended from the 15th day of September, 1849, to the 1st day of April, 1850, so far as the towns of Granville and Milwaukee, in the county of Milwaukee, are concerned.

Districts mak-
ing reports en-
titled to privi-
leges, &c.

Sec. 2. All those districts in said towns whose clerks make their reports according to the provisions of the aforesaid section thirty, chapter nineteenth, of the Revised Statutes, by the 1st of April, 1850 shall be entitled to all the privileges they would have been entitled to had they have made their reports according to the provisions of the said chapter nineteen, of the Revised Statutes.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 112 An act to amend an act entitled "an act to incorporate the Milwaukee, Hartsford and Beaver Dam plank road company."

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Section amend-
ed.

SECTION 1. That section fifteen, (15) of said act be and the same is hereby amended, so that it will read as follows: if said

corporation shall not within four years from the passage of this act commence the construction of said plank road, and expend three thousand dollars or more thereon, and within ten years from the passage of this act construct, finish and put in operation a single or double track of plank road from the city of Milwaukee to the town or village of Beaver Dam, in the county of Dodge, then said company shall forfeit all rights, privileges and powers under this act, to all that part of said proposed road not built.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to legalize the plat of the village of Mayville.

Chap 113

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. That the plat of the village of Mayville, in the county of Dodge, recorded in the office of the register of deeds in said county, on the eleventh day of October, A. D. one thousand eight hundred and forty-nine, be, and the same is hereby declared to be the legal plat of said village of Mayville. Plat legalized.

SEC. 2. That from and after the passage of this act, all lots sold and conveyed in said village of Mayville, may be described with reference to the plat of said village mentioned in the preceding section of this act: *Provided always,* That the rights of bona fide purchasers of lots in said village of Mayville, having purchased lots therein, described in reference to a former plat of said village, shall in nowise be impaired by the provisions of this act. Lots, how described.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to provide for the permanent location of the seat of justice in the county of Washington, and for the division of said county and the organization of the county of Tuskola. Chap 114

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. The county seat of Washington county, shall be, and hereby is, permanently located at the village of Port Washington, in said county. Permanent location.

SEC. 2. It shall be the duty of the board of supervisors of said Washington county to provide as soon as practicable for the Supervisors to provide county buildings.

construction of county buildings in said village of Port Washington, and without delay to proceed with the erection and completion of the same.

To contract
for erection of
buildings.

SEC. 3. The board of supervisors shall on the first Monday of May next proceed to let to the lowest bidder the contract for the erection of a good and commodious Court House upon the plan and style generally adopted by the different counties of this state, a good and sufficient jail, and good and commodious fire proof clerk's and register's office, upon grounds in the village of Port Washington, to be located by the supervisors of the county of Washington, said buildings to be erected and enclosed during the summer of 1850, and finished by the first day of July 1851, and for the purpose of defraying the expense and cost of erecting said buildings, the said supervisors are directed to levy an additional tax upon the taxable property of said county, in addition to the ordinary taxes of said county, for the year 1850, equal to the amount of the contract price of said buildings.

Tax levied.

Boundaries of
Tuskola county.

SEC. 4. All that portion of the present county of Washington, lying within the following boundaries, to wit: Commencing at the south-west corner of said county, and running thence east on the county line to the centre of Lake Michigan and the south-east corner of said county; thence northerly through the centre of Lake Michigan to the town line between towns ten and eleven; thence westerly on said town line to the county line of Dodge county; thence southerly on the eastern line of Dodge county to the place of beginning, is hereby set off and organized into a separate county under the name and title of Tuskola.

Tuskola county
organized.

SEC. 5. Said county of Tuskola, is hereby erected, established and organized, with all the rights, powers and privileges by law granted to other counties of this state, and subject to all general laws established for county government.

Election to be
held in May.

SEC. 6. On the first Monday of May next the electors resident within said new county shall meet in their respective towns at the usual place of holding elections and then and there proceed to elect all county officers provided by law for county government, except a county judge, sheriff and clerk of the circuit court, which said officers, shall hold their offices when duly qualified until the expiration of the term of similar offices in other counties, the returns shall be made to and canvassed by the clerk of the county supervisors of Washington county.

County officers
to be elected.

SEC. 7. At the next general election there shall be elected, according to law, all the county officers of said county of Tuskola, together with a sheriff and clerk of the circuit court, whose terms of office shall commence on the first day of January next, as now provided for by law.

Election of
county judge.

SEC. 8. On the first Monday of October next, there shall be elected by the qualified electors of said county of Tuskola, a county judge, in accordance with the provisions of chapter eighty-six of the Revised Statutes of Wisconsin, who shall hold his office from the first day of January next, under the same terms and re-

restrictions and with the same limitations as is provided by said act for county judges. The county courts of said county shall be held in accordance with law, at such place in the village of Cedarburg, as shall be designated by the supervisors of said county, until the completion of the court house therein.

SEC. 9. The present village of Cedarburg, is hereby established as the seat of justice of said county of Tuskola. The new county shall be attached to Washington county for judicial purposes until the first day of January 1851.

Seat of justice of Tuskola.

SEC. 10. The liabilities and indebtedness of the present county of Washington, shall be paid satisfied and discharged ratably by said county of Washington and county of Tuskola, according to the last assessment of Washington county, except so far as the county of Washington shall have a fund on hand, or in prospect, which said fund shall be used in discharge of such indebtedness. The board of supervisors of either county shall have power to audit claims for which both counties are liable.

Liabilities of Washington county, how paid.

SEC. 11. It shall be the duty of the board of county supervisors, elected at the next April town election, within the limits of said county of Tuskola, to meet at the school house in the village of Cedarburg, on the third Monday of May next, at ten o'clock, in the forenoon, and organize a board of county supervisors, and shall then proceed to select within the limits of said town of Cedarburg, suitable and convenient grounds for the erection of a Court House and other county buildings, and make provisions for the immediate erection of the same.

Duty of supervisors of Tuskola county.

SEC. 12. The terms of the circuit court of the county of Tuskola, shall be held in the year 1851, and thereafter, in each year, on the third Monday in April and fourth Monday in October, and all process, appeals, recognizances and other proceedings commenced either in the circuit court of Washington county, or in the county court of said county prior to the first day of January next, shall be prosecuted to final judgment therein, in the same manner they might have been had this act not have been passed.

Terms of courts, &c.

SEC. 13. The register of deeds of the present county of Washington, shall transcribe all the records of deeds, mortgages, and contracts relating to lands or personal property within the limits of the county of Tuskola, and attach his certificate of the correctness to the same, under oath thereto; he shall procure all necessary books for doing said work, at the expense of said county of Tuskola, and receive the sum of ten cents per folio for transcribing said records, out of the treasury of said county. He shall deposit the records transcribed as aforesaid, on or before the first day of January next, in the office of the register of deeds of the said county of Tuskola.

Register to transcribe certain records.

SEC. 14. On the first Tuesday of April next, the electors resident within the said county of Tuskola shall cast their votes for or against the division of the county of Washington, as provided for in this act, for which purpose a separate ballot box shall be kept at each poll in said county of Tuskola, and those electors wishing to vote in favor of the division, shall deposit a ballot

To vote on division of county.

whereon is written or printed the words "For division," those wishing to vote against division, shall deposite a ballot, as aforesaid, "Against division."

Votes, how returned and certified.

SEC. 15. The votes so taken shall be returned and certified to the clerk of the board of county supervisors of the county of Washington, on or before the second Tuesday of April next, and shall be canvassed in the same manner as is now provided for by law for the election of county officers, and if a majority of all the votes cast on that subject shall be in favor of a division, then said county of Washington shall be divided, and the county of Iuska-la established as hereinbefore provided, and if there shall not be a majority of the votes given as aforesaid then the said county of Washington shall remain with its present boundaries.

Secretary of State to cause act to be published

SEC. 16. It shall be the duty of the Secretary of State immediately after the passage of this act to have the same published in the "Washington Blade," published at Port Washington, and in the "Wisconsin Banner," and "Volksfreund," published in Milwaukee.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 115

An act to change the name of Daniel B. Pecker of Southport.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

D. B. Packer.

SECTION 1. The name of Daniel B. Pecker is hereby changed to Daniel B. Packer.

SEC. 2. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 116

An act to authorize R. C. Treat to construct and maintain a bridge across Fox river.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Bridge built.

SECTION 1. That R. C. Treat, his associates, successors, assigns, are hereby authorized to build, construct, and maintain a bridge across Fox river, on section number twenty-four, (24) township number sixteen, (16,) of range number eleven, (11,) east

Sec. 2. Said bridge shall forever remain free of toll for crossing the same, and shall be constructed with a draw, capable of receiving all boats pass and re-pass through the same without delay, shall in no manner obstruct the free navigation of said Fox river. Bridge to be free.

Sec. 3. Any person or persons committing any malicious injury to said bridge hereafter to be constructed according to the provisions of this act, shall be liable to the owner or owners thereof, the amount of injury so done, and all damages sustained may be collected before any court having competent jurisdiction, and in accordance thereto, upon conviction therefor be punished in the manner prescribed by law for offences of that nature. Injuries how punished.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Act to confirm the report of commissioners to lay out and establish a state road from Newark to Fond du Lac. Chap 117

The People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the report of the commissioners appointed under section five, of an act entitled, "an act for laying out certain lands therein described, approved March 31st 1849," to lay out and establish a state road from Newark to Fond du Lac, be hereby confirmed, and that the line of said state road be established as reported by said commissioners: *Provided*, No part of the expense of laying out said road shall be paid from the state treasury. Report confirmed.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Act to authorize Pliny Pierce to build and maintain a dam on the Manitowoc river. Chap 118

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That Pliny Pierce, his heirs, successors, and assigns, be, and they are hereby authorized and empowered to build and maintain a dam across the Manitowoc river, in the county of Manitowoc, upon lots two and eight, in section fourteen, in town thirteen, range twenty-three, east of the fourth principal meridian, to erect mills or other machinery, or in any other manner to make Dam authorized to be constructed.

use of the water for hydraulic purposes, to build wharves or buildings, that the said Pliny Pierce or his successors may deem necessary for the facilities of business.

Dam to contain a lock.

SEC. 2. The dam shall not exceed eighty feet raise above the surface of said Manitowoc river at high water, and shall contain a convenient lock or locks, eighty feet long and twenty feet wide, for the passage of boats, barges, batteaux, or other water crafts, whenever the said river above the said dam, shall be so improved as to be navigable for such boats, barges, or batteaux, and shall maintain said lock, and attend the passage of all boats, etc., through free of all charges to the owners of said boats, etc.

Slide to be built.

SEC. 3. The said proprietor shall construct and keep in good repair a sufficient slide, not less than thirty feet wide, and so constructed as not to cause a fall of more than three feet to every twelve feet of smooth surface, to admit of the passage of all rafts of timber, etc., down said stream.

SEC. 4. The legislature may at any time repeal, alter, or amend this act, so as to provide for the future improvements of the Manitowoc river.

SEC. 5. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 119

An act to provide for laying out a state road therein described.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Road from Buffalo lake to Plover.

SECTION 1. That Abraham Morton, Jacob Low, and A. A. Bull, are hereby appointed commissioners to lay out and establish a state road from the outlet of Buffalo Lake in Marquette county, situated in town 15, section 16, range, 10, to Plover in Portage county: *Provided*, No expense for laying out said road shall be paid from the treasury of the state.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to authorize the construction of a dam across the Fox river in the county of Racine. Chap 120

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. James Catlin, his associates, successors, heirs, and assigns are hereby authorized to build and maintain a dam not exceeding four and a half feet in height, across the Fox river in the county of Racine, at or near the south line of section number 33, in township number 3, north of range number 19 east, on any lands there situated, which he may now own, and may make use of the waters of said river for hydraulic purposes: *Provided always*, That by the building of said dam the navigation of said Fox river shall not be injured in any manner whatever: *Also provided*, The erection of the dam shall not flow the lands of others than the said Catlin or his associates. Authorized to build dam.

SEC. 2. The legislature may at any time alter, amend, or repeal this act so as to provide for the improvement of said river.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February, 8, 1850.

NELSON DEWEY.

An act to provide for laying out a state road from Manitowoc Rapids to Menasha. Chap 121

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. That David B. Knapp, David W. Halstead, and Daniel H. Whitney, are hereby appointed commissioners to lay out a state road, commencing at the Rapids on the Manitowoc river in Manitowoc county, thence along said river on the most practicable route, to or near the forks of said river, intersecting a road now laid out from the forks of said river to Stockbridge in Calumet county, thence westerly along said road, crossing the military road at or near the mission school house in Stockbridge, to Lake Winnebago, thence along the shore of said Lake Winnebago to the village of Menasha in the county of Winnebago. Commissioners appointed.

SEC. 2. The said commissioners shall receive such compensation for their services as the board of supervisors in the several counties through which said road shall pass may deem sufficient: *Provided*, That the state shall in no wise be accountable for said services. Compensation

SEC. 3. That Nathan G. Van Horn, Peter W. Matts, and John T. Haight, be, and hereby [are] appointed commissioners to survey and lay out a state road from Fort Atkinson in Jefferson, via Clinton in Dane county to Mineral Point: *Provided*, That the supervisors of the counties through which said road may be laid Commissioners appointed.

shall pay such amount for such services as to them may seem proper.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 122 An act to change the place of holding the county court in the county of Racine.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Court to hold session at Burlington.

SECTION 1. Every other general and special term alternately of the county court in and for the county of Racine in this state, shall hereafter be held at the Odd Fellows' Hall in the town of Burlington in said county, or at such other place in said town as the judge of said county court shall direct until herein otherwise provided.

Bond to be given.

SEC. 2. A good and sufficient bond in the penal sum of two thousand dollars shall be executed to the board of supervisors of said county of Racine, with a condition therein contained, that the obligors named in such bond shall furnish and provide a good and sufficient court room for the holding of said court in said town of Burlington, free of all costs and charges to the county of Racine. The aforesaid bond shall be executed by three or more persons residents of said county, who shall severally take and subscribe an oath or affidavit, stating that he is worth the sum of two thousand dollars, over and above his debts and liabilities, and shall be approved by the judge of the first judicial circuit court of this state, and delivered to the clerk of the board of supervisors of said county of Racine.

Court to hold sessions at Waterford.

SEC. 3. From and after the first Monday in March eighteen hundred and fifty-three, every other general and special term alternately of said county court, shall be held at such place in the village of Waterford in said county of Racine as the judge of said court shall direct, for the term of three years: *Provided*, That on or before the first day of January A. D. 1853, a bond in all respects similar to the one mentioned in section two of this act, and with like condition to furnish a court room free of charge, at said village of Waterford, shall be executed, approved, and delivered as specified in said section number two.

Bond to be given, &c.

When act to take effect.

SEC. 4. This act shall take effect when the bond mentioned in the aforesaid section number two, shall have been approved and delivered as hereinbefore specified, and not otherwise. All writs, suits, process, and other proceedings of said court, which shall be returnable at the city of Racine, at the time this act shall take effect, are hereby made returnable at the town of Burlington in said

county, and shall be as valid and effectual as if such change had not taken place.

MOSES M. STRONG,
Speaker of the Assembly,
 SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to incorporate the city of Kenosha.

Chap 123

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The district of country included within the following limits and boundaries, to wit: The southeast quarter of section thirty, fractional section thirty-two, the southeast quarter of the northwest quarter of section thirty-one, the east half of the southwest quarter of section thirty-one, and the east half of section thirty-one, in township two, north of range twenty-three east, and also the north half of fractional section five, the east half of the northeast quarter of section six, the northwest quarter of the northeast quarter of section six, and the northeast quarter of the northwest quarter of section six, in township one, north of range twenty-three east, is hereby declared to be a city, and the inhabitants thereof are created a body corporate and politic, by the name and style of "the city of Kenosha," and by that name shall be capable of contracting and being contracted with, of suing and being sued, pleading and being impleaded, answering and being answered unto in all courts and places, and in all matters whatsoever, with power of purchasing, receiving, holding, occupying, and conveying real and personal estate, and shall have a common seal and may change the same at pleasure; and shall be competent to have and exercise all the rights and privileges, and be subject to all the duties and obligations appertaining to a municipal corporation.

Boundaries of the city of Kenosha.

Powers of corporation.

SEC. 2. The said city until the city council see fit to increase, alter, or change the same, shall be divided into three wards in manner following, to wit: All that part of said district of country comprised in the limits described in the first section of this act which lies within the following bounds. Commencing on the lake shore at the mouth of Pike creek, thence up the main channel of said creek through the centre, to the quarter section line, at the bridge west of the Congregational church, thence west on said quarter section line to the western limits of the corporation until it intersects a line drawn through the south-east and south-west corners of the first western addition to said city, thence east along said last mentioned line to the south-east corner of said addition, thence north to a point of intersection with the centre of Wisconsin street, extending westwardly, thence east along the centre of said Wisconsin street to the lake shore, thence along the lake shore to the

City divided into three wards.

Boundaries of first ward.

Second ward. place of beginning, shall be the first ward. All that part of said district which lies north of the first ward shall be the second ward.

Third ward. And all the remainder of said district which lies south of the first ward shall be the third ward.

Government of city to consist of mayor and council. SEC. 3. The government of said city and the exercise of its corporate powers, and management of its fiscal, prudential, and municipal concerns shall be vested in a mayor and council, which council shall consist of three aldermen, chosen from each ward actually residing therein, and shall be denominated the "city council," and also such other officers as are hereafter provided for.

Officers of city. SEC. 4. The elective officers of said city shall be the mayor and city council, one marshal, one treasurer, one city clerk, one superintendent of common schools, and four justices of the peace, one constable for each ward, and one assessor for each ward, to be elected by the qualified voters thereof at the annual election of said city to be held in each ward on the first Tuesday of April in each year, and shall hold their respective offices for one year, and until their successors are chosen and qualified.

Qualification of electors. SEC. 5. All qualified electors for members of the legislature of this state who have resided within the bounds of said city six months, and in the ward where he may offer his vote twenty days next preceding such election shall be deemed qualified voters of said city, and shall be entitled to vote in the ward in which the respectively reside for any officer in the city required by this act to be elected by the qualified voters of said city, and in all elections for city officers, after the organization of said city government under this act, the mayor shall issue his proclamation to the qualified voters of said city, setting forth the time of such election, the place or places where the same is to be held in the several wards and the several officers to be chosen; and said proclamation shall be published in one or more newspapers printed or in general circulation in said city, at least ten days previous to said election; and after the organization of the city government under this act it shall be the duty of the city council to provide the place or places of holding all elections in said city for city officers, the hours of the day the same shall continue open, to appoint the judges and clerks thereof, provide for making and directing the returns of elections, the time and manner of opening the returns and making an abstract thereof, and of keeping a journal of the same; and may make such other arrangements concerning said elections as may be lawful and convenient for the citizens of the several wards; and the person or persons having the highest number of votes shall be declared to be duly elected. Whenever any person shall present himself to give his vote, and either of the judges shall suspect that such person does not possess the qualifications of an elector, or if his vote shall be challenged by any elector, the judges of election or some one of them before receiving the vote of any such person, shall require such person to take an oath that he possesses the qualifications prescribed in this section of this act, and that he has not voted at such election. If any person offering to vote shall take such oath, his vote shall be received; and if any

Mayor to issue proclamation.

Proceedings when vote of elector challenged.

P. . . .

person shall take such oath knowing it to be false, he shall be deemed guilty of wilful and corrupt perjury, and on conviction thereof shall suffer such punishment as is now or shall hereafter be provided by law for persons guilty of perjury. If any person who is not a qualified voter shall vote at any election, or if any person duly qualified shall vote in any other ward than the one in which he may reside, or shall vote more than once at any one election, he shall forfeit and pay a sum not exceeding fifty dollars nor less than twenty-five dollars, to be recovered in the same manner as other penalties are recovered under this act, and if any judge of election shall knowingly and corruptly receive the vote of any person not duly qualified to vote, such judge shall be liable to indictment, and on conviction thereof shall forfeit and pay for the use of the city, a sum not exceeding five hundred dollars nor less than one hundred dollars.

SEC. 6. The president of the village of Southport shall designate the first Tuesday of April in the year 1850, for holding the first election, and shall appoint three suitable persons in each ward of said city to be judges of the first election under the provisions of this act, and also two suitable persons to be clerks thereof in each ward, and shall notify the several persons so appointed, and shall publish a notice in one or more of the newspapers in said city, at least ten days previous to the said election, designating the several places for holding the same, and to procure a suitable place in each ward for holding said election, which said first election shall be opened between the hours of eight and ten o'clock in the forenoon and shall continue open until five o'clock in the afternoon; said election shall be conducted agreeably to the provisions of this act, and it shall be the duty of the judges of said election in the several wards within three days thereafter, to make and direct the returns thereof to the recorder of the village of Southport; and the said recorder shall lay the same before the trustees of said village at their meeting next ensuing such election, and it shall be the duty of said trustees within three days (Sundays excepted,) after such returns shall have been received to make an abstract thereof, and immediately notify in writing the persons elected as aforesaid of their several elections under this act.

SEC. 7. At the first election the electors in their respective wards shall vote for one mayor of the city, one marshal, one treasurer, one city clerk, one superintendent of common schools, and four justices of the peace, and the following officers for the ward where the elector may reside: three aldermen, one constable, and one assessor, and annually thereafter the electors at their respective ward elections shall vote for one mayor, one marshal, one treasurer, one city clerk, one superintendent of common schools, and two justices of the peace for the city at large, and for the ward in which the elector may reside three aldermen, one constable, and one assessor. At the first meeting of the city council the justices first elected shall determine by lot which two shall go out of office at the end of one year, and which two at the end of two years; and if any of said justices are absent from said first meeting of the city council, the city clerk shall draw the lots for the absence

When first election to be held & c.

When first election to be held & c.

How vote returned.

Officers to be elected for city and each ward.

Trustees to determine who elected.

SEC. 8. The board of trustees of the village of Southport shall determine who shall have been properly elected at the first election; and the president of the board of trustees of said village shall administer the oath of office to the first mayor, and such mayor shall administer the oath of office to the several aldermen who have been declared to be duly elected, and also to all other officers in said city; all subsequent elections shall be determined on by the mayor and city council; and the new mayor in every case may be sworn into office by his predecessor or clerk, and he shall administer the oath of office to all newly elected aldermen and officers. In case of a tie between two candidates at any election, the election of one or the other of them shall be determined by lot, in the presence and under the direction of the mayor and city council.

Oaths & c.

Powers and duties of mayor.

SEC. 9. The mayor shall be the chief executive officer and head of the police of the city; it shall be his duty to recommend in writing to the city council such measures as he may deem expedient, he shall keep the seal of said city, sign all commissions, licenses, and permits which may be granted by the city council, he shall maintain peace and good order, and see that the laws [of] the state and ordinances of the city are observed and executed; he shall have power to administer oaths or affirmations, and to take and certify acknowledgments of deeds and other instruments in writing; as a judicial officer he shall have all the power, and exercise the jurisdiction of justices of the peace in this state by giving the bonds required by law; and in case of riot or other public disturbance, he may appoint as many special or temporary constables as he may deem proper.

City council to assemble, &c.

SEC. 10. The members of the city council shall on the first Monday after each annual election, or as soon thereafter as may be practicable, assemble at their council chamber or some other suitable place in said city, and elect from their own body a president to preside in their meetings in the absence of the mayor; and a majority of all the members shall be a quorum for the transaction of business, each member shall be entitled to one vote. The mayor shall preside in [the] city council, and shall have a casting vote and no other therein. In case of the vacancy of the office of mayor, or of his being unable to perform the duties of his office by reason of temporary or continued absence or sickness, the president of the city council shall be vested with all the powers and perform all the duties of mayor until the mayor shall resume his office, or the vacancy be filled by a new election, and in case of absence or inability of both the mayor and president of the city council a president pro tem. shall be elected, and for the time being shall discharge the duties of mayor.

How vacancies filled.

Power of council to preserve order.

SEC. 11. The city council shall have power to preserve order and propriety in its proceedings, and to punish in a summary manner by fine and imprisonment all disorderly or disrespectful conduct in its presence, and also to compel by pecuniary penalties the attendance of its members; the city council shall determine

the rules of their proceedings and keep a journal thereof, which shall be open to the inspection of every citizen, at all reasonable times and hours, and prescribe the time and fix the place of holding their meetings, which shall at all times be open to the public, and said city council may adopt any by-laws for their own government, not inconsistent with the provisions of this act.

SEC. 12. The mayor, or acting mayor, each and every alderman, marshal, deputy marshal, watchman, each and every justice of the peace and constable of the city of Kenosha, shall be ^{Who officers of the peace.} officers of the peace, and may command the peace and suppress in a summary manner all rioting and disorderly behaviour, in a manner consistent with the ordinances of said city, within the limits thereof, and for such purposes may command the assistance of all bystanders, and if need be of all citizens and military companies; and if any person, bystander, military officer or private of such company, shall refuse to aid in maintaining the peace, when so required, every such person shall forfeit and pay such fine as may be prescribed by ordinance of the city council, in such case provided; and in all cases where the civil power may be required to suppress riotous or disorderly behaviour, the superior or senior officer, present in the order mentioned in this section, shall direct the proceedings.

SEC. 13. The marshal shall possess all the powers, and enjoy ^{Powers of the} all of the rights of a constable of the town of Southport, and be ^{marshal.} subject to the same liabilities. It shall be his duty to execute and return all writs and process to him directed by the mayor, and when necessary in criminal cases, or for the violation of any ordinance of said city, he may serve the same in any part of the state of Wisconsin. It shall be his duty to suppress all riots disturbances and breaches of the peace; to apprehend all disorderly persons in said city, and pursue and arrest any person fleeing from justice, in any part of the state of Wisconsin; to apprehend any person in the act of committing any offence against the laws of this state or ordinances of the city, and forthwith to bring such persons before competent authority for examination, and for such services he shall receive like fees as is allowed to constables for like services; he shall do and perform all such duties as may lawfully be enjoined on him by the ordinances of said city, and he shall have power to appoint one or more deputies to be approved by the city council, but for whose official acts he shall be responsible, and of whom he may require a bond for the faithful discharge of the duties. Said marshal shall execute and file with the clerk a bond for the faithful performance of his duty, to be approved by the city council.

SEC. 14. The treasurer of said city shall perform such duties and exercise such powers as may be lawfully required of him by the ordinances of said city; all monies raised, received, recovered and collected by means of any tax, license, penalty, fine, forfeiture, or otherwise, under the authority of this act, or which belongs to said city, shall be paid into the city treasury, and shall not be drawn therefrom except by a written order, signed by the mayor. ^{Duties of treasurer, and his powers.}

or acting mayor, by order of the city council, and countersigned by the city clerk, who shall keep a copy thereof. Such order shall specify the amount of money to be drawn and the object of the appropriation; he shall keep a just and accurate account of monies and other things coming into his hands, as treasurer, in a book to be provided by the city council for that purpose, which shall remain the property of said city wherein he shall note the time when, the person from whom the amount of the several sums received, and the source from whence the said sums, respectively arose, which said books, shall at reasonable times be open to the inspection of the electors of said city; he shall as often as the city council require, render to said council a minute account of his receipts and payments, and at the expiration of his office, he shall hand over to his successor, all moneys, books and vouchers, in his possession belonging to said city; he shall before he enters upon the duties of his office, execute to the city a bond for the faithful discharge of his duties, to be approved by the city council, which bond shall be at least in double the amount of taxes to be raised for the year in which he was elected.

Duties of clerk

SEC. 15. The clerk shall attend the meetings of the city council; he shall perform such duties and exercise such powers as may be lawfully required of him by the ordinance or direction of the city council, and the city council shall fix and prescribe his compensation therefor; he shall file in his office all chattel mortgages presented to him, and safely keep the same, receiving the same compensation therefor that town clerks now receive; and all chattel mortgages, so filed, shall be as valid and legal as if the same had been filed in the town clerks office, or recorded in the office of the register of deeds.

His compensation.**Powers of city council.**

SEC. 16. The city council shall have power to enact, establish, publish, enforce, alter, modify, amend, or repeal all such ordinances, rules and by-laws, for the government and good order of the city, for the suppression of vice, for the prevention of fires, and for the benefit of trade and commerce, and for the health thereof, as they may deem expedient, declaring and imposing penalties, and to enforce the same against any person who may violate any of the provisions of such ordinances, rules or by-laws; and such ordinances, rules or by-laws are hereby declared to be, and to have the force of law: *Provided*, That they be not repugnant to the constitution and laws of the United States, or of this state, and for those purposes shall have authority by ordinance or by-laws:

1st. To establish rates for, and license and regulate taverns, groceries and victualling houses, and all persons retailing or dealing in spirituous, vinous or fermented liquors, and to license and regulate the exhibitions of common showmen, or shows of any kind, or the exhibition of any natural or artificial curiosities, caravans, circuses, or theatrical performance under the ordinances, or at common law.

2nd. To restrain and prohibit all descriptions of gaming and fraudulent devices and practices, and all playing of cards, dice or other games of chance. for the purpose of gaming in said city.

3d. To prevent any riots, noise, disturbance or disorderly assemblages, suppress and restrain disorderly houses or groceries, houses of ill fame, billiard tables, nine or ten pin alleys, or tables, shows, and exhibitions. and to authorize the destruction of all instruments or devices used for the purposes of gaming.

4th. To compel the owner or occupant of any grocery, cellar, tallow chandlers shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome or neauseous houses or places, to cleanse, remove or abate the same, from time to time, as often as it may be deemed necessary for the health, comfort and convenience of the inhabitants of the city.

5th. To direct the location and management of all slaughter houses and markets, to establish rates for and license venders of gunpowder, and regulate the storage and keeping and conveying of gunpowder or other combustible materials.

6th. To prevent the encumbering of the streets, side-walks, lanes, alleys or public grounds, with carriages, carts, waggons, sleighs, sleds, boxes, lumber, fire-wood or other materials or substance whatever.

7th. To prevent horse racing, immoderate driving or riding in the streets, and to regulate the places of bathing and swimming in the waters within the limits of said city.

8th. To restrain the running at large of cattle, swine, sheep, horses, poultry and geese, and to authorize the distraining and sale of the same.

9th. To prevent the running at large of dogs, and to authorize their destruction in a summary manner, when at large, contrary to the ordinances, or to impose a tax on the same.

10th. To prevent any person from bringing, depositing or having within said city, any putrid carcass, or any unwholesome substance, and to require the removal of the same by any person who shall have upon his premises any such substance or any putrid or unsound beef, pork, fish, hides, or skins of any kind, and in default, to authorize the removal thereof by some competent officer, at the expense of such person or persons.

11th. To make and establish public pounds, pumps, wells, cisterns and reservoirs, and to provide for the erection of waterworks for the supply of water to the inhabitants of said city or any ward therein, to erect lamps and regulate and license hacks, cabs, drays, carts, and the charges of hackmen, cabmen and draymen, within the limits of the city.

12th. To establish and regulate boards of health, provide hospitals and cemetery grounds, regulate the burial of the dead and the return of the bill of mortality, and to exempt burying grounds and grounds set apart for the public use from taxation.

13th. To regulate the procuring of fire buckets, and the purchase of fire engines, to prescribe and regulate the materials of which houses may be built within the fire limits, and the manner of erecting and securing chimneys, and to provide for removing chimneys which may be deemed dangerous, and to require and

sary, at the expense of the owners or occupants of buildings, when the same may be required; to require the owners of buildings to provide and keep suitable ladders and fire buckets, which are hereby declared to be exempt from seizure or distress or sale in any manner, and if the owner refuse or neglect to procure suitable ladders or fire buckets, after reasonable notice, the city council may procure and deliver the same to him, and in default of payment therefor, may bring an action of debt against said owner, and be entitled to recover in such action, the value of such ladders, fire buckets, or both, with costs of suit; to direct the safe construction for the deposit of ashes; to appoint fire wardens, and prescribe their duties; to regulate the manner of putting up stoves and stove pipe; to compel the owners or occupants of houses or buildings to have scuttles on the roofs of said houses and buildings, and for the purpose of arresting the progress of any fire, the mayor and council, or any three members thereof, may direct any building or buildings to be torn down, removed or blown up with gun powder, and any buildings so destroyed shall be paid for by the corporation; and to establish such other measures of prudence for the prevention or extinguishment of fires, as the said city council shall deem proper.

14th. To establish fire limits.

15th. To regulate the building of wharves and bridges, and provide for the security and protection of the same.

16th. To prevent all persons riding or driving any horse, ox, mule or cattle, or other animal on the side walks in said city, or in any way doing any damage to such side walks.

17th. To prevent the shooting of fire-arms or crackers, except by special permission of the city council, and to prevent the exhibition of any fireworks, in every situation which may be considered by the city council dangerous to the city or any property therein, or annoying to any citizen thereof.

18th. To restrain drunkards, immoderate drinking or obscenity in the streets or public places, and provide for arresting, removing and punishing any person or persons, who may be guilty of the same.

19th. To regulate the police of the city; to appoint watchmen and firemen, prescribe their duties and punish their delinquencies.

20th. To establish public markets and make rules and regulations for the government of the same; to appoint suitable officers for overseeing and regulating such markets, and to restrain all persons from interrupting or interfering with the due observance of such rules and regulations.

21st. To regulate the place and manner of weighing and selling hay, of measuring and selling of fuel and lime, and appoint suitable persons to superintend and conduct the same.

22d. To compel the owner or occupant of any building or ground; to remove the snow, dirt or rubbish from the side walk, street or alley, opposite thereto, and to compel such owner or occupant to remove from the lot owned or occupied by him, all

such substances as the board of health shall direct, and in his default, to authorize the removal or destruction thereof, by some suitable officer, at the expense of such owner or occupant.

23d. To protect trees and monuments in said city.

24th. To provide for clearing out of Pike Creek, all drift wood, and other obstructions, and to prevent encroachments of any kind thereon, within said city; to appoint a harbor master and prescribe his duties.

25th. The city council shall have power to purchase or lease a house or farm for the use of the poor who may become city charges; to appoint an overseer of said poor house or farm, to fix his compensation and determine his duties, and enact the necessary ordinances for the management of said house or farm, and of the city poor.

27th. To prevent all persons from casting or depositing in the harbor or in any of the public waters within or around said city, the carcasses of animals and filth of every nature, and to punish the authors thereof.

Sec. 17. In all cases in relation to which, by the provisions of this act, the city council have power to enact or pass ordinances or by-laws in relation to any subject, they may prescribe any penalty for the violation of such ordinance or by-law, not exceeding fifty dollars for any one offence in violation or non-observance thereof, and may also provide, that in default of payment of any judgment rendered for such violation or non-observance, the offender may be imprisoned for such term as they may by such ordinance direct, not exceeding forty days, for which purpose the said city shall have the use of the jail of Racine county for the imprisonment of any person liable to be imprisoned, and all persons committed to said jail by the marshal or any other officer, shall be under the charge of the sheriff of said county. May prescribe penalties, &c.

SEC. 18. On all suits for the violation of any ordinance of the city, the process may be by warrant, and it shall be sufficient without setting forth the special matter, to declare generally in debt with reference to the ordinance under which the action is brought; the defendant may plead the general issue and give the special matter in evidence, and a printed copy of an ordinance published in a newspaper or pamphlet, by authority of the city council, shall be prima facie evidence of the passage and publication of such ordinance. Process, &c.

SEC. 19. Every execution issued upon judgment for the violation or non-observance of any ordinance or by-law of said city, shall contain a clause, directing in the event of the non-payment of the judgment, the imprisonment of defendant in the county jail for such term as shall have been provided by the ordinance under which the judgment shall have been rendered; all fines, penalties and forfeitures, when collected, shall be paid into the city treasury for the use of the city. Violation of ordinance, how punished.

SEC. 20. Any ordinance, regulation, rule, or by-law imposing any penalty or forfeiture for the violation of its provisions shall be By-laws, &c., how published

published one week in some newspaper printed in said city before the same shall be in force, and proof of such publication by the affidavit of the printer or foreman in the office of the newspaper where such publication may have been made shall be the conclusive evidence of the publication and promulgation of such ordinance, regulation, rule, or by-law in all courts and places.

SEC. 21. No person shall be an incompetent judge, justice, witness, or juror by reason of his being an inhabitant of said city in any action or proceeding in which said city is a party or interested.

Process against city how served.

SEC. 22. When any action or suit shall be commenced against said city, the service thereof may be made by leaving a copy of the process attested by the proper officer with the mayor or clerk, and it shall be the duty of the mayor or clerk on whom such process may have been served forthwith to inform the city council thereof, or take such other proceedings as by ordinance of said council may have been in such case provided.

Member of council prohibited from contracting &c.

SEC. 23. No member of the city council shall be a party to or interested in any contract or job with the city, and any contract in which any member of the city council may be so interested, notwithstanding this prohibition shall be null and void and of no force against said city as a party thereto.

Duties of council.

SEC. 24. The city council shall settle all claims and demands against the city, settle with the treasurer annually, and make out and publish accounts of the receipts and expenditures of said city annually for the information of the citizens.

Power to appoint officers.

SEC. 25. The city council shall have power to appoint and at their pleasure to remove by a vote of a majority of the board present and acting, the following officers, and such others as may be deemed necessary to carry out the powers conferred by this act on said municipal corporation, viz: One chief engineer of the fire department, three fire wardens, and as many assistant wardens as the said city council may from time to time deem expedient; one sealer of weights and measures, one or more surveyors and so many measurers of fuel, grain, lime, and other marketable articles, weighers of hay, pound masters, sextons, and keepers of the burial grounds, inspectors of streets, street commissioners, an inspector of lumber and harbor masters as the city council may from time to time deem expedient, and prescribe their duties and compensation, and to impose and enforce in law such penalties as to the said city council may seem proper for any malfeasance or improper conduct of any of said officers, and to require bonds for the faithful performance of the duties of such of them as may be deemed expedient and necessary by said city council.

In failure of electing how to proceed.

SEC. 26. If any election provided for in this act shall for any cause not be held at the time prescribed, it shall not be considered a sufficient reason for arresting, suspending, or absolving the said corporation, but such election may be held at any time thereafter by order of the city council, of which time ten days public notice shall be given, and further if any of the duties enjoined by this act at a time herein specified, or specified by any ordinance of said city

are not then done, the city council may appoint another time upon which the said duties may be done: *Provided*, That the officer so failing to execute such duties at the time required shall be liable to the same actions, fines, and penalties as he would be liable to if the said council had not the power to appoint another time.

SEC. 27. Whenever the office of any person elected under the provisions of this act by the qualified voters of the city or in any ward thereof, shall become vacant by reason of the death, resignation, removal, refusal, or neglect to qualify, or for any cause whatever, the same may be filled by special election, to be held at such time and place as may be designated by the mayor or acting mayor and city council, and the person or persons so elected shall fill the vacancy during the remainder of the term for which his predecessor was elected.

When special election to be held.

SEC. 28. All officers elected or appointed under the provisions of this act, shall within four days after the said election or appointment, and before entering upon the duties of their respective offices take an oath or affirmation faithfully and impartially to discharge the duties of their offices, to which such persons may respectively be elected or appointed, and in all cases not in this act provided for, shall require such fees and compensation for their services, and be liable to such fines, penalties, and forfeitures for negligence, carelessness, misconduct in office, and positive violations of duty as the city council shall by ordinance order and determine: *Provided*, That the said city council shall not have power to vote any pay or compensation for the members thereof or for the mayor except as herein provided for.

Officers when to qualify.

SEC. 29. The city council shall have power to authorize the formation of fire engine, hook and ladder, and hose companies, provide for the due and proper regulation of the same, and to disband any such companies at any time and prohibit their meetings as such when disbanded; which companies shall be officered and governed by their own by-laws: *Provided*, Such by-laws be not inconsistent with the laws of this state or with the ordinances and regulations of the city, and shall be formed only by voluntary enlistment; every member of each company in said city shall be exempt from serving on juries and from poll work and military duty, except in case of war, invasion, or insurrection, and whenever a member of a fire, hook and ladder, bucket and hose company shall have served therein ten years, he shall be entitled to a discharge signed by the mayor, and shall thereafter be exempt as aforesaid.

Formation of fire companies, &c.

SEC. 30. The said city council shall have power to pass ordinances imposing penalties against the owners and masters of vessels or the vessels themselves, for any wilful or malicious injuries done by their vessels or vessel to any of the bridges or public docks, and to enforce the same in an action of debt, and by imprisonment as in the case of other ordinances, and for every such injury said vessel or craft shall be liable in an action by warrant, in the name of the city for all such damage and injury, to be enforced according

Owners and masters of vessels liable for injuries.

to the provisions of "an act to provide for the collection of demands against boats and vessels" in the Revised Statutes.

Mayor to be
ex-officio su-
pervisor.

SEC. 31. The mayor of said city is hereby declared to be ex-officio supervisor, and as such is hereby empowered to meet with and act in the county board of supervisors in the same manner and with the same rights and powers as is or may by law be prescribed and exercised by other members of said county board. In case of the absence or inability to act of the mayor, then the city council shall select from their own number one member to meet with and act in the said county board.

Power to lay
out street & c.

SEC. 32. The said city council shall have power and authority to lay out new highways, streets, alleys, and public walks, and to vacate such highways, streets, alleys, and public walks as in their opinion shall not be of public utility, to regulate, grade, pave, and improve streets, avenues, lanes, and alleys, and to extend, open, and widen the same, and notice of the passage by the city council of an order for laying out, vacating, changing, or altering said highways, streets, alleys, and walks shall be given by publishing notice of said order in some newspaper printed in Kenosha immediately after the passage of the order aforesaid; and if any person shall claim damages by reason of the laying out of or vacating, changing, or altering thereof, and shall file his notice of such claim in writing with the clerk within ten days after the order for laying out, vacating, or altering shall have been made by the city council, the city council shall cause the damage if any over and above the benefit accruing thereby to such claimant to be assessed by a jury as herein provided.

Person claim-
ing damage to
give notice.

Proceedings in
case of laying
out streets & c.

SEC. 33. The said city council shall at the expiration of ten days after the making and entering of any order for the opening and laying out, extending, or vacating any highway, street, alley, or public walk, cause to be summoned six good and lawful freeholders, inhabitants of said city, (and not directly interested) who being first duly sworn for that purpose, shall take into consideration the necessity of the laying out, opening, and extending such street; the said jury shall also take into consideration as well the benefit as the injury which may accrue, and estimate and assess the damage which would be sustained by reason of the laying out, opening, extending, or widening of any street, avenue, alley, or public walk as aforesaid, and shall moreover estimate the amount which other property shall be benefitted thereby, all of which shall be within six days returned to the city council under their hands and seals, and the property so benefitted and assessed shall be liable for the payment of the same, and the same shall be a lien on such property and be collected in the same manner as annual taxes are collected and payable, and the residue if any shall be paid out of the city treasury on account of the ward where such improvement shall be made.

Power to
grade side
walks and to
lay lots.

SEC. 34. The city council shall have power to cause to be graded, gravelled, and paved the side walks on any street or part of a street within said city, and to levy and collect a special tax on the lots and land bounding and abutting on such street or side walk

or near thereto, in proportion to the front or size of such lots respectively, for the purpose of defraying the cost of the same in addition to the ordinary tax authorized by this act to be levied and collected in the same manner as annual taxes are collected, and it shall be the duty of the city council to provide by ordinance for the assessing, correction and equalization of such special tax; and the property so assessed shall be liable for the payment of the same; and in case any tax mentioned in this and the preceding section shall be returned delinquent, the proceedings for the sale of the lots or land so returned shall in all respects be the same as in case of delinquency in the payment of the annual city taxes with the addition of like interest, cost and penalty.

SEC. 35. The said city council shall have power to cause the streets, highways, lanes, alleys, commons, and market places of said city, to be kept in repair, and may cause the same to be graded and otherwise improved as the interest of the city may require, and shall have exclusive power of appointing street supervisors within the limits of said city, and prescribing their several duties, and the city council shall have power to cause the public streets, lanes, alleys, highways, and public grounds that now exist within the limits of said city to be surveyed, described, and permanently marked on a plat thereof to be recorded by the clerk in a book to be kept by him for that purpose, in which book shall also be recorded a plat of any new street, lane, or alley which may hereafter be established by the city council under the provisions of this act, and also any change or alterations in any of the streets, lanes, or alleys, and such survey and record shall be thereafter conclusive evidence of the position and limits of such street, lane, alley, or highway.

SEC. 36. There shall be two days work performed annually on highways, streets, and alleys by each male person who by the laws of the state is subject to perform highway work, such person to perform such labor within the ward where he resides, under the direction of such street commissioners or supervisors as the city council may appoint, but any such person may at his option pay at a rate of seventy-five cents per day for every day he may be so bound to labor, and in default of the payment of such money or the performance of such labor the street commissioners or supervisors may sue for and collect such money by an action of debt in the name of the city of Kenosha, with fifty per cent. damages on the same, together with cost of suit before the mayor of the city or any justice of the peace, and in all such cases the process shall be by warrant, and no stay or execution upon any judgment rendered on such suit shall be taken or allowed: *Provided however,* That the city council shall have power to order said work laid out upon any road leading out of said city and not within the city limits.

SEC. 37. For the discharge of any debt against said city or expenditure authorized by the city council under the provisions of this act or ordinance of said city or to defray the current expenses of said city, the city council shall have power to levy and

collect annually a tax on all such real and personal property or capital of any kind within said city, subject to taxation by the laws for levying the taxes of this state for the time being.

Duties of treasurer.

SEC. 38. It shall be the duty of each assessor to make out in the month of May, annually, a list of all taxable property within the ward for which he was appointed, with such a clear and definite description, that the property and owner thereof may be known as nearly as practicable, and shall set opposite to each lot or part of a lot or piece of land or other article or commodity, in such list contained, the actual cash value thereof, as nearly as the said assessor can determine, and if the name of the person owning the lot or liable for the tax is unknown, the fact shall be stated by writing "unknown owner." in place of the name, and said assessment roll shall be returned in the month of May to the clerk with an affidavit of the assessor that the assessment roll comprises all the real and personal property liable to taxation in the ward for which he was elected.

Duty of clerk and city council.

SEC. 39. It shall be the duty of the clerk, annually, upon the receipt of the assessment rolls aforesaid, to lay the same before the city council for their consideration, and the said city council shall be a board of equalization to consider the valuation of the property in the several lists of assessments, and if deemed necessary, make such amendments, corrections and alterations as to them may seem proper and necessary to produce equality of assessment, agreeably to the true value of property comparatively in the several wards; the said city council, on or before the first Monday of July annually, shall levy upon the whole amount of such assessment as corrected and equalized, such a per centage, as by a vote of a majority of all the members of the city council, shall be deemed necessary for the several purposes hereinbefore mentioned. It shall be the duty of the clerk, under the direction of the city council, to make out in accordance with such determination a schedule of all the property in each ward, separately, as contained in said assessment roll, annexing to each lot or other item of property, in separate columns, the amount of tax which will be chargeable on the same, which schedule shall be called the tax list, and shall be recorded by said clerk, for each ward separately, in a book to be by him kept for that purpose, and said tax list or the record thereof, shall either of them be conclusive evidence of the amount of taxes assessed for the current year, in which the same shall be made out.

Further duty of clerk.

SEC. 40. It shall be the duty of the clerk to complete the tax lists of each ward within such time as may be prescribed by the city council, and deliver the same to the treasurer of the city, together with the warrant of said city council for collecting the same, and make a record of such delivery in a book where such lists shall be recorded, or in a book containing the proceedings of the city council, which record shall be conclusive evidence of such delivery and the tax so assessed on real estate shall be a lien in preference to any other lien on estate so taxed until the same shall be paid or satisfied, together with all costs and charges which may accrue thereon agreeably to law.

SEC. 41. Upon receipt of the tax lists as aforesaid it shall be the duty of the treasurer of said city (who shall be the collector for all the wards (to give public notice in some newspaper printed in said city that such tax lists have been committed to him for the purpose of collecting the taxes thereon, and that he will receive payment of taxes at his office in said city until the last day of December then next ensuing, and said notice shall also state the time and place when and where he will sell all lots and lands in said lists contained, upon which the taxes remain unpaid at such time, or so much thereof as will pay and satisfy all taxes which may be assessed thereon, together with all costs and other liabilities which shall accrue, according to law, by advertisement and sale, and said notice shall be published six successive weeks in some newspaper in said city, between the last day of September and the last day of December in the year of said notice.

Trustees to
publish notice.

SEC. 42. The said city council shall not borrow any money on the credit of the corporation, except for the purpose of constructing a harbor at the south mouth of Pike Creek in manner hereafter mentioned, nor shall the credit of the city be given or loaned to aid any individual corporation or association.

Not to borrow
money, except
&c.

SEC. 43. The city council are authorized to levy a special tax of any sum not exceeding ten thousand dollars, annually, for the purpose of constructing a harbor at the south mouth of Pike Creek, said tax to be levied on all lands and town lots within the limits of said city, not exempt from taxation by the laws of the United States or of this state, not including any improvements made thereon, and the city council are hereby authorized and directed to appropriate all sums raised in pursuance of this act, to the construction of a harbor at the south mouth of Pike Creek, agreeably to such [plan] as shall have been approved by the officer of the Topographical Department of the General Government. If no tax shall be levied in any year for the construction of a harbor, the city council are authorized to borrow on the credit of said city in such sums as they may deem proper, any amount not exceeding ten thousand dollars to be applied to the construction of a harbor at the south mouth of Pike creek: *Provided*, That no money or other property shall be borrowed on the credit of the city for a term exceeding five years, and on interest exceeding twelve per cent: *Provided* also, that all taxes levied for the payment of the principal and interest on the sum or sums borrowed as aforesaid shall be levied on the same kind of property that the tax for the construction of a harbor is levied.

Authority to
levy harbor
tax.

Proviso.

Proviso.

SEC. 44. No tax shall be levied nor money or other property shall be borrowed under the provisions of section 43 unless a majority of the voters possessed of a freehold estate, or occupying lots upon leases, on which lots they pay the taxes, who shall actually vote upon the question, shall first in each year determine to raise such a tax or authorize such loan; and for the purpose of determining whether such tax shall be raised or loan made, the city council shall order a special election of the voters, at such times

Real estate
owners to de-
termine ques-
tion of harbor
tax.

and in such places in the several wards as they shall deem proper, giving ten days notice of the same in some newspaper printed in said city. Such elections shall be conducted in the same manner as other elections in said city are conducted for city purposes. The city council shall have power, for the purposes contained in this and the previous section, to pass an ordinance prescribing the powers and duties of the assessors of said city, as to the time and manner of assessing the lands and lots, and the method of equalizing and perfecting the same. And in case said tax or any portion thereof remains unpaid on the last day of December, after said tax has been levied, the lands and lots upon which the tax remains unpaid shall be returned and sold in the same manner and be subject to the same provisions as in case of the non-payment of other city taxes.

Treasurer to
sell.

SEC. 45. In case the tax on any real estate in said tax lists contained shall remain unpaid after the last day of the December next ensuing the publication of said notice, the treasurer shall, on the second Monday of January next ensuing, commence the sale of said real estate and continue the same from day to day until so much thereof shall be sold as will pay the taxes, interest, and charges due, assessed, and charged thereon, agreeably to this act and the treasurer shall give to the purchaser or purchasers of any such real estate a certificate, assignable by endorsement, describing the particular lots or land by him or them purchased, stating the sum paid therefor, and the time when the purchaser will be entitled to a deed for the same lots or lands, and if the person claiming the title to said lots or lands shall not, within two years from the date thereof, pay to the treasurer for the use of the purchaser, his heirs or assigns, the sum mentioned in said certificate together with the interest thereon at the rate of twenty-five per centum per annum from the date of such certificate, then it shall be the duty of the treasurer of the city for the time being, after the expiration of said two years, to execute to the purchaser, his heirs or assigns on presentation of such certificate, a conveyance by deed of the lots or land so sold, which conveyance shall be prima facie evidence in all controversies and suits, in relation to the right of the purchaser, his or her heirs or assigns, to the premises thereby conveyed of the following facts: First, that the land or lot conveyed was subject to taxation at the time the same was advertised for sale, and had been listed and assessed in the time and manner required by law; second, that the taxes were not paid at any time before the sale; third, that the lands conveyed had not been redeemed from the sale at the date of the deed; and said conveyance shall be conclusive evidence of the following facts: first that the land or lot was advertised for sale in the manner and for the length of time required by law; second, that the land was sold for taxes as stated in the deed; third, that the grantee in the deed was the purchaser or assignee of the certificate; fourth, that the sale was conducted in the manner required by law. And in all controversies and suits involving the title to land claimed and held under and

by virtue of a deed executed by the treasurer as above provided, the person or persons claiming title adverse to the title conveyed by such deed shall be required to prove, in order to defeat the said title, either that the land was not subject to taxation at the date of the sale, that the taxes had been paid, that the land had never been listed and assessed for taxation, or that the same had been redeemed according to the provisions of this act, and that such redemption was had or made for the use and benefit of the persons having the right of redemption under the laws of this state, but no person shall be permitted to question the title acquired by the said deed, without first showing that he, she or they, or the person under whom he, she, or they claim title, had title to the land at the time of the sale, or that the title was obtained from the United States, or this state, after the sale, and that all taxes due upon the lands have been paid by such person or the person under whom he claims title as aforesaid, and every such conveyance shall be executed by the treasurer under his hand and the seal of the city in the name and behalf of the city of Kenosha, and may be given in evidence and recorded in the same manner and with like effect as a deed regularly acknowledged by the grantor may be given in evidence and recorded: *Provided*, That in cases of assessment of taxes in gross upon any lot or piece of land, the treasurer, upon the application of any claimant or owner of a part thereof, either divided or undivided, shall receive the taxes on such part, either in payment or redemption, with the interest and charges thereon proportionate to the quantity of such lot or tract so claimed or owned, and the remainder of such taxes, interest, and charges shall be a lien only on the remainder of such lot or piece of land. The treasurer is hereby authorized to give certificates of redemption, and to execute the deeds in the manner herein specified, for all lands sold for taxes levied by the trustees of the village of Southport, as hereinbefore incorporated, and such deeds or certificates shall have the same force and effect as deeds and certificates given for sale by such treasurer

SEC. 46. If any person holding the certificate of purchase of any lot or piece of land in pursuance of this act shall pay any tax levied subsequent to the purchase of such lot or piece of land the owner or other claimant who may redeem such lot or piece of land, shall pay the amount of such tax with interest, at the rate of twenty-five per cent. per annum from the date of such payment for the benefit of such holder of the certificate.

SEC. 47. Taxes upon real estate shall be a lien upon the estate taxed, and it shall be the duty of the treasurer upon receiving the tax lists and warrants immediately to proceed to the collection of the same.

SEC. 48. In case any person shall neglect to pay any tax assessed on his personal property after the publication of the notice herein mentioned, the treasurer shall proceed to levy the same by distress and sale of the goods and chattels of the person who ought to pay the same or of any goods and chattels found in his possession within the city of Kenosha, and no claim of property to

Claimant re-
deeming to pay
penalty.

Tax to be a
lien.

Treasurer to
sell, &c.

be made there to by any other person shall be available to prevent a sale.

To give public notice.

SEC. 49. The treasurer shall give public notice of the time and place of the sale with a description of the property to be sold at least ten days previous by advertisement in some newspaper and to be posted up in three public places in the city of Kenosha, and the sale shall be by public auction.

How surplus disposed of.

SEC. 50. If the property distrained shall be sold for more than the amount of the tax and legal charge thereon, the surplus shall be returned to the person in whose possession said property was found when the distress was made, or to the person for whose tax the same was distrained as the case may be.

In case of removal how to proceed.

SEC. 51. In case any person upon whom personal property shall be assessed, shall have removed out of the city of Kenosha after such assessments, and before such tax ought by this act to have been collected, it shall be lawful for the treasurer to levy and collect such tax by distress on the goods and chattels of the person so assessed in any town within the county of Kenosha, to which said goods shall have been removed or in which he may reside.

Penalty for resisting levy.

SEC. 52. Any person who shall resist any levy made by the treasurer for the payment of any taxes as aforesaid, shall be dealt with in the same manner as is or may be provided by law for resisting process in the hands of the sheriff or constables.

Treasurer to advertise, & c.

SEC. 53. Six months previous to the time limited by this act for redeeming lots or lands sold for taxes, it shall be the duty of the treasurer of said city to publish at least twelve weeks successively in some newspaper or newspapers printed in said city a list of all unredeemed lots or lands, describing each lot or piece of land or any part thereof as the same was assessed and sold, together with a notice to all interested therein of the time when the same will become forfeited, and the city council shall fix and determine the amount which shall be paid for printing such advertisements, and for other expenses consequent thereon and direct the clerk to add the expense so fixed and determined to the tax which may be levied on each of said lots for the year (or the year succeeding) in which such advertisement shall be made, and such additional tax shall be collected and paid into the treasury at the same time and in the same manner as the general tax on said lots or lands for the same year are returned to be paid agreeably to the provisions of this act.

Fees of treasurer.

SEC. 54. It shall be lawful for the treasurer to demand and receive the following fees, viz: For each certificate of sale to be given to a purchaser at any tax sale of any lot or piece of land or part thereof ten cents for each certificate of redemption of any lot or piece of land or part thereof, for a single piece of land ten cents, and five cents for every additional lot or piece described in such certificate, to be paid by the person or persons redeeming the same; a per cent. on all moneys he shall receive and pay to wit: one half of such commission for receiving and the other half for

paying out: *Provided*, That said commissions shall not exceed four per centum in any year.

SEC. 55. On all questions before the city council on the passage of ordinances, rules, by-laws, regulations of any kind touching the police, health, peace, and good order of the city, levying, assessing, or equalizing taxes, appointment of officers and all questions of a general nature, a majority of the members present and acting at any board shall determine the question, and all ordinances, rules, by-laws, and regulations passed under this act as aforesaid shall be signed by the mayor or presiding officer of the city council and clerk. How questions decided.

SEC. 56. The said city of Kenosha shall have power to hold real or personal estate, and may sell and convey the same at pleasure, and shall have the custody and control of all real and personal estate and other corporate property belonging to said city. City may hold property.

SEC. 57. The said city of Kenosha shall be and is hereby invested as the lawful owner and proprietor of all the real and personal estate, and all the rights and privileges thereof belonging to the corporation of the village of Southport, together with all the property, funds, and revenues, and all moneys, debts, and demands due and owing to said village of Southport as a corporate body, which by or under any former acts, ordinances, grants, donations, gifts, or purchases have been acquired, vested, or in any manner belong to said corporation, and the same are hereby transferred to the corporate body created by this act, and all suits pending or judgments recovered by or in favor of or against said village of Southport, or the trustees thereof, and all rights, claims, and demands in favor of or against the same may be continued, prosecuted, completed, defended, and collected in the same manner as though this act had not been passed. Kenosha declared successor of Southport.

SEC. 58. The president, trustees, and all other officers of the village of Southport now in office, shall remain in their respective offices and perform the several duties thereof, until the mayor and city council are elected under this act: the recorder and treasurer of the village of Southport shall transfer all the books, papers, and moneys which may be in their hands to the clerk and treasurer who may be elected agreeably to this act, and all laws, ordinances, resolutions passed and adopted by the trustees of the village of Southport, shall remain in full force until altered or repealed by the city council established under this act. Officers of village of Southport to remain in office until election, &c.

SEC. 59. From and after the first Tuesday of April, A. D. 1850, the connection of the city of Kenosha and town of Southport for town purposes is dissolved, and the duties now or hereafter imposed upon the supervisors of towns so far as relates to the city of Kenosha, shall be imposed upon the mayor and council of said city; and other town officers which are or may be provided by law to be elected annually in the several towns, be and they are hereby declared inapplicable to the town government of said city, the same being merged in and superceded by the power of local government which by this act are conferred on the city authori- When connection dissolved, &c.

ties; and so much of the town of Southport as is not included in the city limits shall be and constitute a town as heretofore by the name of Southport, for all purposes of town and county government, and shall hold their next town meeting at such place as the present supervisors of the town of Southport shall direct.

Penalty for refusing to deliver papers.

SEC. 60. If any person having been an officer of said city shall not within ten days after notification and request, deliver to his successor in office all the property, papers, and effects of every description in his possession belonging to said city, or appertaining to the office he held, he shall forfeit and pay for the use of the city, one hundred dollars besides all damages caused by his neglect or refusal so to deliver, said penalty to be recovered before any court of competent jurisdiction in the same manner as penalties for the violation of city ordinances are collected.

How presence of absentees enforced.

SEC. 61. A majority of the aldermen present at any regular (or special meeting properly called,) shall have power to enforce the attendance of absentees by compulsory process, and a resolution passed by a majority of such aldermen for the attendance of absentees, shall empower the marshal or other officer in attendance of the common council to enforce the attendance of such absentees, the same as writs of attachment, empower officers to compel the attendance of witnesses in courts of justice.

Rights reserved to legislature.

SEC. 62. This act may be amended, altered, or repealed by the legislature, and the act entitled "an act to incorporate the village of Southport," approved February 9, 1841, and the several acts amendatory thereto, and all acts and parts of acts inconsistent with this act shall be and the same are hereby repealed, such repeal to take effect at the time when this act becomes operative.

SEC. 63. This act shall be a public act, and shall be construed favorably in all courts and places.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to pay Elisha Burdick the amount of certain territorial bonds.

Chap 124

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. That there be paid to Elisha Burdick the sum of three hundred dollars and twenty-six cents, being the amount of two territorial bonds herewith surrendered to be cancelled, out of any money now in the treasury.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

E. Burdick.

An act to change the name of the town of Fox Lake in the county of Dodge. Chap 125

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of the town of Fox Lake in the county of Dodge, is hereby changed to "Waushara," by which name it shall be hereafter known in all courts and places whatsoever.

SEC. 2. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to amend an act entitled "an act to incorporate the Milwaukee and Janesville plank road company." Chap 126

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be lawful for said company to construct any part of said road with coal, gravel, or other hard substance, making a hard, smooth, and even surface. How road may be constructed.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act for the relief of the town of Calumet in Fond du Lac county.

Chap 127

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the town superintendent of schools of the town of Calumet in the county of Fond du Lac, be, and hereby is authorized and empowered to receive and distribute to the several schools districts in said town, the full amount of school money which would have been due to them had the said several districts fully complied with the law regulating the distribution of school-moneys for the year ending on the first Monday of April next, any law to the contrary notwithstanding.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

Chap 128 An act to legalize the tax levied January 2d, 1850, in school district number seven of the town of Janesville, Rock county.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Tax declared legal.

SECTION 1. The tax levied January 2d, 1850, in school district number seven of the town of Janesville, Rock county, Wisconsin, is hereby declared legal and valid, any informality in giving the notice for the election notwithstanding.

Collector to collect, &c.

SEC. 2. The collector for said district is hereby required to proceed to collect the taxes and make return of his warrant as is provided for by law in other cases: *Provided always*, The board of directors may extend the warrant for the term of sixty days after the return day thereof, if they deem it advisable.

SEC. 3. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 129 An act to provide for taking up a part of Pearl street, in the village of Southport, Wisconsin.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Declared vacated.

SECTION 1. That so much of Pearl street, in the village of Southport, Wisconsin, as runs through and divides blocks number four and five on the south-west fractional quarter of section thirty-two, town two north, of range twenty-three east, be and the same is hereby vacated.

SEC. 2. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 130 An act to provide for the election of certain officers in the city of Milwaukee

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Officers to be elected.

SECTION 1. There shall be elected by ballot at the next charter election held in the city of Milwaukee, one Marshall for the city, and one street inspector in each ward, who shall each hold their respective offices for the term of one year. And so much of the act incorporating said city, or of any act supplementary or amen-

datory thereto as conflicts with the provisions of this act is hereby repealed.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act to provide for the election of circuit judges.

Chap 131

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. An election for the judge of the circuit court shall be held on the last Monday of September of each year. in any judicial circuit wherein the term of office of the judge of such circuit shall expire during such year. Said election shall be conducted and the votes canvassed in the same manner as at general elections for state and county officers. The inspectors or judges of said election shall make returns to the clerk of the board of supervisors of their respective counties immediately after the same are canvassed. and the clerks of the boards of supervisors shall file the same in their office and forthwith transmit a certified copy thereof to the governor of the state.

When & how
election of
judges to be
held.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

An act granting to William Armstrong the right to keep and maintain a ferry across the Wisconsin river. Chap 132

The People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. William Armstrong, his heirs or assigns shall have the exclusive right and privilege, for the period of ten years, of keeping and maintaining a ferry across the Wisconsin river on section seven, town twelve north of range nine east.

Right to keep
ferry.

SEC. 2. Such ferry shall be subject to such regulations as other ferries are or may by law be subject, fixing the rates of toll in the manner in which licensed ferries shall be kept and attended, and no ferry shall be licensed within two miles of the point where the ferry above provided for shall be established.

Regulations of
&c.

SEC. 3. This act may be amended by any future legislature of the state of Wisconsin.

MOSES M. STRONG,
Speaker of the Assembly,
 SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 133 An act granting to James C. Potter the right to keep and maintain a ferry across Lake Apuckaway, in the Fox River, at the village of Marquette.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Right to keep
 ferry, &c.

SECTION 1. That James C. Potter, his associates, and their heirs, executors, administrators or assigns, shall have the exclusive right and privilege, for the period of five years, to keep and maintain a ferry across Lake Apuckaway, in the Fox River, from block twenty, at the foot of Dodge Avenue, in the village of Marquette, on the south side of said lake, to the north shore of the same, subject to such regulations as other ferries are, or by law may be, subject to fixing the rates of toll and the manner in which licensed ferries shall be kept and attended to; and no other ferry, for the services of which fees or tolls shall be demanded and received, shall be allowed or kept within two miles of said village plat, at which said ferry is hereby authorized.

SEC. 2. This act may be annulled or repealed by any future legislature of the state of Wisconsin.

MOSES M. STRONG,
Speaker of the Assembly,
 SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 134

An act to lay out certain roads therein named.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

From Dodge-
 ville.

SECTION 1. David S. McIntosh, William A. Broady and Isaac Farwell, are hereby appointed commissioners to locate and establish a state road, commencing at Dodgeville, in Iowa county; thence by Hickcox's mill, to Arena, on the Wisconsin river; thence on the most feasible route to the ferry at the mouth of Dell creek in Sauk county.

SEC. 2. Said commissioners shall have power to adopt any road or part of a road already lawfully established on said route.

Commissioner's
 to locate road.

SEC. 3. Said commissioners shall meet on or before the first day of June next, at Dodgeville, and proceed to locate said road.

The commissioners appointed under the provisions of this act, shall upon the performance of this work be entitled to such compensation for their services, as the county supervisors of the counties where such services are performed shall deem just and proper, to be paid out of the county treasuries respectively: *Provided*, Proviso. That the county of Sauk shall not pay to exceed twenty-five dollars of said expense.

SEC. 4. Ralph Smith, John R. Smith and N. H. Beebe, are hereby appointed commissioners to lay out and locate a state road from Richmond, in Richland county, to the school house in the Washington school district in the county of Crawford. From Richland.

SEC. 5. No expense incurred by authority of this act shall be a charge against the state.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

An act to change the name of Thomas M. Colburn to Thomas M. Peck, and making him heir at law of John R. Peck. **Chap 135**

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Thomas M. Colburn of the town of La Fayette, in the county of Walworth, be, and the same is hereby changed to Thomas M. Peck, by which name the said individual shall and may hereafter be known in all places whatever. Name changed.

SEC. 2. And that the said Thomas M. Peck, be, and he is hereby made and constituted heir at law of John R. Peck of the said town of La Fayette. Constituted heir at law.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

An act to amend an act entitled an act to provide for the continuation of the Lisbon and Milwaukee plank road. **Chap 136**

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. Section one of an act entitled an act to provide for the continuation of the Lisbon and Milwaukee plank road, is hereby amended by inserting after the word "Madison," in the ninth line of said section in the printed act, the words "and to Act amended.

take and use any portion of the highway from Watertown to Milwaukee." •

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

Chap 137 An act to authorize the construction of a bridge over the south branch of the outlet of Winnebago lake.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Authority to build bridge.

SECTION 1. That Gorham P. Vinning, William M. Tygert and John R. Kimberly, and their associates have authority, to build, construct and maintain a bridge across the south branch of the outlet of lake Winnebago, from the point in the village of Winnebago Rapids, where the state road from Winnekona intersects Fox river at the foot of Walnut street, in said village, below the dam.

Dimensions of bridge.

SEC. 2. Said bridge shall not be less than fourteen feet wide, with a draw over the canal forty feet wide.

Bridge free.

SEC. 3. Said bridge shall forever remain free of toll for passing the same.

Persons liable for injuries.

SEC. 4. Any person or persons who shall do any wilful injury to said bridge, shall be liable to the owner or owners thereof for the amount of said damage, to be recovered in any court of competent jurisdiction, and in addition thereto, upon complaint being made, may be punished as now provided by law for injuries of that nature.

Duties of owners.

SEC. 5. The owners of said bridge shall attend the draw, or cause the same to be attended, so as to pass and re-pass all boats, vessels and other water craft, at all times free of expense and without unnecessary delay or interruption, and be liable for all damage that may occur to any person or persons in consequence of any insufficiency of said bridge, or any bad management of the draw of the same.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

Chap 138

An act for the relief of the county of Sauk

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

A credit to

SECTION 1. The Secretary of State, is hereby authorized and

required on his being furnished with satisfactory proof by the supervisors of the county of Sauk, to certify the amount now standing against said county for the arrearage taxes that has resulted from double assessment and taxation of property in said county, and the State Treasurer is hereby required to credit the amount so certified to the county of Sauk.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

An act relating to the sale of intoxicating liquors, and to repeal chapter twenty-nine of the Revised Statutes. Chap 139

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. No person shall hereafter be allowed to vend or retail intoxicating liquors or drinks, until he shall have executed to the treasurer of the city, town, or village, in which he may reside or carry on such business, a bond in the penal sum of one thousand dollars, with two or more sufficient sureties, who shall be residents of the place where such business is carried on, conditioned to pay all damages that community, or individuals may sustain by reason of his or her vending intoxicating liquors; support all paupers, widows and orphans made, or helped to be made, by his or her said traffic, and pay the expenses of all civil and criminal prosecutions made, growing out of, or justly attributable to his or her vending or retailing intoxicating liquors or drinks, which bond shall be subject to the approval of the common council of such city, the supervisors of such town, or the trustees of such village: *Provided*, They shall not be liable for any costs in suits, unless judgment be recovered against him or her, upon the cause of action upon which the suit is brought, but they may recover costs as in other cases.

SEC. 2. The bond above required, shall be filed with the treasurer of such city, town, or village, as the case may be, and a copy of the same, certified by such treasurer, shall be received as evidence in all courts of justice in this state.

SEC. 3. It shall be the duty of the treasurer with whom such bond may be filed, to deliver, on demand, a copy of the same to any person who may claim to be injured by such traffic, and the said treasurer shall be entitled to receive from such person, who may demand such copy, the sum of twenty-five cents therefor, as his fee for making and certifying to such bond before he delivers a copy therefor. [thereof]

SEC. 4. It shall be lawful for any married woman to institute and maintain in her own name, a suit on such bond, for all damages sustained by herself, or children, on account of such traffic,

Bond to be executed of \$1,000. Its conditions.

Proviso.

Bond filed—copy to be evidence in court.

On demand the treasurer to give copy of bond.

Married women may sue for damages.

and the money when collected, shall be paid over to her, for the use of herself and children.

Proceedings in courts, when entertained.

SEC. 5. No suit for retail liquor bills shall be entertained by any courts of this state, and whenever it shall be made to appear to any court before whom a suit may be pending on a promissory note, account, or evidences of debt, that such note, account, or evidences of debt, was given for retail liquor bills, or any part thereof, such court shall immediately dismiss such suit at the cost of the plaintiff, and all such notes, accounts, or evidences of debt, shall be absolutely void: *Provided*, The provisions of this section shall not apply to druggists when the intoxicating liquors were sold for medical purposes. The words "vending or retailing," in this act, shall be construed to mean the selling or giving away intoxicating liquor in quantities less than twenty-eight gallons.

Proviso.

What proof necessary to sustain action.

SEC. 6. On the trial of any suit under the provisions of this act the cause or foundation of which shall be the act of an individual under the influence of intoxicating liquor, it shall only be necessary in order to sustain the action, to prove that the principal in the bond, sold or gave intoxicating liquor to the person so intoxicated, or in liquor, (whose acts shall be complained of) on that day, or the day previous to the commission of the offence.

Authorities may sue.

SEC. 7. Whenever a person shall become a county, city, town or village charge, by reason of intemperance, a suit may be instituted by the proper authorities, on the bond of any person who may have been in the habit of selling or giving intoxicating liquors to such person, or pauper, within six months next preceding such person becoming a public charge.

Persons may sue for contribution to pay judgment.

SEC. 8. Any person against whom a judgment may be obtained under the provisions of this act, shall be entitled to maintain a suit to compel a contribution towards paying the judgment against him, and against all persons engaged in such traffic, in such city, town or village, who may have sold or given intoxicating liquors to such person committing the offence, or becoming a public charge, within the time specified in this act, to be assessed rateably, by the court or jury, empannelled and sworn to try said cause.

Liability of persons avoiding the provisions of this act.

SEC. 9. Any person who shall vend or retail, or for the purpose of avoiding the provisions of this act, give away intoxicating liquors without first giving the bond required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum, not less than fifty, nor more than five hundred dollars, and be imprisoned in the county jail, not less than ten days nor more than six months, and shall be liable in all respects to the public and individuals, the same as he or she would have been had he or she given the bond required by this act.

Suits may be brought before justices of peace.

SEC. 10. All suits authorized by the provisions of this act, may be commenced and prosecuted before justices of the peace, when the damages claimed do not exceed one hundred dollars, although the penalty in the bond may exceed that amount, and the judgment shall be for the damages proved, and a judgment on the bond required by this act, shall not be a bar to further proceed

ings on the bond until the judgment or judgments so obtained shall be equal to the whole amount of the bond.

SEC. 11. Whenever judgment shall be obtained on any bond given under the provisions of this act, shall be equal, or exceed in amount the sum specified in such bond, the person so vending or retailing intoxicating liquors, shall give a new bond, to be executed, approved and filed in the same manner, as provided in this act; and a refusal, or neglect to give such bond, shall subject the vender or retailer, aforesaid, to all the penalties which would follow the vending or retailing intoxicating liquors, without giving the bond in the first instance. New bond,
when required

SEC. 12. All power granted to the common council of any city, or the trustees of any village, to grant licenses for the sale of intoxicating liquors, or charge any tax for the same, except as provided in this act, is hereby repealed, and it shall be the duty of each judge of the circuit court, especially to charge the grand jury at every term of such court, to inquire into all offences against the provisions of this act. Power to grant
licenses repeal
ed.
Duty of cir-
cuit court.

SEC. 13. Chapter twenty-nine of the Revised Statutes, entitled "of the sale of spirituous liquors," is hereby repealed: This act shall in no wise affect any prosecution already commenced or right accrued under the law hereby repealed. Law repealed.
Pro-
Visio.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 8, 1850.

NELSON DEWEY.

An act to amend chapter fifty-nine of the Revised Statutes.

Chap 140

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter fifty-nine of the Revised Statutes, is hereby so amended that it shall and may be lawful for any clerk of any court of record or clerk of the board of supervisors of any county of this state, to take and certify the acknowledgement of any deed or other instrument of writing required to be acknowledged within their respective counties, and the clerks of the boards of county supervisors are hereby authorized and empowered to administer oaths in all cases required by law to be administered. Chapter fifty-
nine amended

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 141

An act to amend chapter sixteen, title six, of the Revised Statutes.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Chapter nine-
teen amended. SECTION 1. So much of section fifty-six, and the subsequent sections of chapter sixteen, title six, of the Revised Statutes, as provides for the recovery of damages upon laying out or altering any road shall be so construed that no damages shall be paid to or received by the party aggrieved until such road shall have been opened by order of the supervisors.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Chap 142

An act to amend chapter 126 of the Revised Statutes.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Amendment
to process of
quo warranto.

SECTION 1. Section sixteen of chapter one hundred and twenty-six, entitled "of informations in the nature of a quoa warranto, and in certain other cases" of the Revised Statutes, is hereby amended to read as follows: Whenever any writ of summons, issued upon an information in the nature of a quoa warranto, shall be returned duly served, the attorney general may thereupon enter a rule, in vacation or in term time, requiring the defendant to plead to the information filed against him in such time as the court or judge at chambers shall direct after service of copy of said rule; and the same shall be served in the same manner, and with like effect, as rules upon declarations in personal actions.

SEC. 2. This act shall be published immediately by the public printer in a newspaper printed at Madison, and from the time of such publication shall take effect.

MOSES M. STRONG,
Speaker of the Assembly.
SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

Chap 143

An act to appropriate to C. L. Sholes the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

C. L. Sholes.

SECTION 1. That there be, and hereby is appropriated out of any money in the treasury not otherwise appropriated, to C. L.

than Stoles the sum of six thousand one hundred and twenty dollars in full for four thousand copies of the Revised Statutes of the State of Wisconsin, subscribed for and received by the Governor of the State.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend "an act to incorporate the town of Potosi," approved February 2, 1846. **Chap 145**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That section two of an act entitled "an act to incorporate the town of Potosi," be and the same is hereby repealed, and the second section of this act be and the same hereby is substituted in place and stead thereof.

SEC. 2. It shall be lawful for the inhabitants of said town who are subject to a tax either on personal or real estate, and who are otherwise qualified by law to vote, to meet in said town as provided in the third section of the act to which this is amendatory, and then and there to elect by ballot one president, who shall be ex-officio a trustee, four trustees, one assessor, one treasurer, and one clerk. New section.

SEC. 3. This act shall take effect from and after its passage.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend section 77, of chapter 15 of the Revised Statutes.

Chap 146

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section seventy-seven of chapter fifteen is hereby so amended that the town clerk shall not be authorized to deliver the warrant and tax list therein mentioned to the sheriff of the county until after the second Monday of December in each year.

MOSES M. STRONG,
Speaker of the Assembly.
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 147

An act to incorporate the Shullsburg Branch Rail Road company.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. Edward Gratiot, Azel P. Ladd, Augustus Easty,

Names of cor-
porators.

Joseph M. Brewster, John Griffin, John R. Gray, Martial Cottle, Lewis Garsey, William Leonard, Edward Vaughn, Henry Stephens, Edward Melory, James H. Knowlton, John McNulty, William Howdle, Thomas James, and John Hill, together with such other persons as may hereafter become associated with them in the manner hereinafter prescribed, their successors and assigns are hereby created a body corporate, by the name of the "Shullsburg branch rail road company," and by that name shall be, and are hereby made capable in law to purchase, hold, and enjoy, and retain to them and their successors, lands, tenements, and hereditaments, so far as may be necessary for the purpose of said rail road;

Their title.

Power to hold
property.

and the same to sell, grant, rent, or in any manner dispose of, to contract and be contracted with, to sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, and also to make, have, and use a common seal, the same to alter, break, or renew at their pleasure; and if either of the persons named in this section, shall die, refuse, or neglect to execute the powers and discharge the duties hereby created, it shall be the duty of the remaining persons hereinbefore named, or a majority of them, to appoint a suitable person or persons to fill such vacancy or vacancies, so often as the same shall occur.

Power to fill
vacancies.

Survey and es-
timate.

SEC. 2. The said corporation are hereby empowered to cause such examination or surveys to be made, as shall be necessary to ascertain the most advantageous route whereon to construct a rail road, and shall cause an estimate to be made of the probable cost thereof, for each mile separately; and the said corporation shall be and they are hereby invested with the right to construct a rail road with one or more railways or tracks, from some convenient point in the village of Shullsburg, in the county of La Fayette, to such point on the line of the Chicago and Galena rail road as may be deemed advisable by said corporation, and also to construct a rail road as aforesaid from the aforesaid point in the village of Shullsburg, north of such convenient point of termination as may be deemed advisable by said company.

Termina.

Capital stock.

SEC. 3. The capital stock of said company shall be one hundred thousand dollars, and shall be divided into shares of fifty dollars each, and five dollars on each share shall be paid at the time of subscribing.

Subscriptions
for stock when
and how taken

SEC. 4. The above named persons, or a majority of them, are authorized to open books for receiving subscriptions to the capital stock of said company, and shall prescribe the form of such subscription; which books shall be opened within ten years from the passage of said act, at such place or places as they may deem expedient, by giving thirty days notice in some newspaper printed in said county, or by posting three written notices in three conspic-

ous places in said county of LaFayette, of the time and place or times and places of opening said books; the said books to be kept open forty days.

SEC. 5. So soon as said stock, or twenty thousand dollars thereof, shall have been subscribed, the above named persons, or the same number thereof as shall have given the notice above required, shall give like notice for the meeting of the stockholders to choose directors at some time at least thirty days thereafter, and at some place within the said county of LaFayette, and if at such time and place the holders of one half or more of said stock subscribed, shall attend either in person or by lawful proxy, they shall proceed to choose from the stockholders, by ballot nine directors, each share of capital stock entitling the owner to one vote; and at such election, the persons named in the first section of this act, or those appointed by its provisions, to fill vacancies which may have occurred, or any three of them if no more be present, shall be inspectors of such election, and shall certify in writing, signed by them or a majority of them, what persons are elected directors; and if two or more have an equal number of votes, such inspectors shall determine by lot which of them shall be directors, to complete the number required, and shall certify the same in like manner; and such inspectors shall appoint the time and place of holding the first meeting of directors, at which meeting five shall form a board competent to transact all business of the company; and thereafter a new election of directors shall be made annually at such time and place as the stockholders at their first meeting shall appoint; and if the stockholders at their first meeting shall fail to appoint the day of such election, then it shall be holden in the succeeding year, on the same day of the same month on which said first election was holden, unless the same be on the first day of the week, in which case it shall be holden on the next day succeeding; and if no election be made on the day appointed, said company shall not be dissolved, but such election may be made at any time appointed by the by-laws of said company; the directors shall elect one of their number president, and shall appoint a secretary, treasurer, such engineers, and other officers, as they may find necessary, shall fix their compensation, and may require adequate security for the performance of their respective trusts.

SEC. 6. The directors may receive payment to the subscriptions to the capital stock at such time and in such proportions, not exceeding twenty-five per cent. at any one installment, under such conditions as they shall deem fit, under the penalty of forfeiture of all previous payment thereon or otherwise: *Provided*, They shall never require the payment to be made at any place out of the counties through which said road shall pass; and such directors shall, at least thirty days previous to the appointed time of such required payment, give notice thereof in the manner provided in the fourth section of this act, for giving notice of the opening of the books of subscription for the stock of said company.

SEC. 7. The directors of said company shall have power to make from time [to] time all needful rules, regulations, and by-laws,

Meeting of stockholders how called.

Election of directors how conducted.

Inspectors to appoint meeting of directors

Succeeding meetings of stockholders.

Officers of board.

Payment of stock.

Proviso.

General powers of directors.

touching the business of said company, and to determine the number of tracks and railways upon said road, and the width thereof, and the description of carriages which may be used thereon, to regulate the amount of tolls and the manner of collecting the same for such transportation, and to fix penalties for the breach of any such rules, regulations, or by-laws, and to direct the mode and condition of transferring the stock of said company, and penalties provided for by the said by-laws may be sued for by any person authorized thereby, in the name of said company, and recovered in an action of debt before any court having jurisdiction of the amount, and the said company may erect and maintain toll houses and such buildings and fixtures as the accommodation of those using said road may require.

Right to enter upon lands-

SEC. 8. The said company shall have the right to enter upon any lands to survey and lay down said road not exceeding one hundred feet in width, and whenever any lands or materials shall be required for the construction of said road, and the same shall not be given or granted to said company, as to the compensation to be paid therefor, the person or persons claiming compensation as aforesaid, or if the owner or owners thereof are minors, insane persons or married women, the guardian or guardians of such

Damages how determined.

minor or minors and insane persons, and the husband of such married woman may select for themselves an arbitrator, and the company shall select an arbitrator, and the two thus selected shall take to themselves a third person, who shall be sworn, and paid by said company as arbitrators between the parties, and render copies of their award to each of the parties in writing, from which

Appeals from arbitrators.

award either party may appeal to the court of proper jurisdiction for the county in which such land or materials may have been situate, and in all cases in which compensation shall in any manner be claimed for lands where there has been no improvement made, it shall be the duty of the arbitrators and court to award a fair compensation for said lands and materials, and appeals in such cases shall when taken be in all respects proceeded in as appeals in other cases in said court, and brought into said court by filing the award with the clerk of said court, whose duty it shall be to enter the same on the docket of said court, setting down the claimant or claimants as plaintiff, and said company as defendant, and when the valuation so ascertained shall be paid or tendered by said company, said company shall have the same right to retain, own, hold, and possess said lands and materials as fully and absolutely as if the same had been granted and conveyed to said company by deed as long as the same shall be used for the purposes of said road.

How proceeded in.

SEC. 9. The said company may construct the said rail road across any public or private road, highway, stream of water or water course if the same shall be necessary, but the said company shall restore such road, highway, stream of water or water course to its former state, or in a sufficient manner not to impair the usefulness of said road, highway, water or water course to the owner or to the public.

Power to cross highways &c.

Sec. 10. All persons paying the toll aforesaid, may with suitable and proper carriages use and travel upon said road, always subject however to such rules and regulations as said company are authorized to make by the seventh section of this act. Use of road.

Sec. 11. So soon of the amount of tolls as accruing and received from the use of said road or part thereof according to the provisions of this act shall exceed six per cent. upon the amount of said capital stock paid in, after deducting therefrom the expenses and liabilities of said company, the directors of said company shall make a dividend of such nett profits among the stockholders in proportion to their respective share, and no accumulative fund exceeding one per cent. of the profits of said company shall remain undivided for more than six months. Dividends when made.

Sec. 12. If any person or persons shall wilfully obstruct or in any way spoil, injure, or destroy said road or any thing belonging or incident thereto, or any materials to be used in the construction thereof, or any building fixture or carriage erected or constructed for the use or convenience thereof; such person or persons shall each be liable for every such offence to treble the damages sustained thereby to be recovered in an action of debt in any court having jurisdiction of the amount. Penalties for injury to road.

Sec. 13. Whenever it shall become necessary in the location or construction of said road to pass through the land of any individual, it shall be the duty of said company to provide for said individual proper wagon ways, and it shall be liable to such individual in treble the amount of damages occasioned by said neglect. Wagon ways to be provided.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

An act to incorporate the Milwaukee and Fond du Lac plank road company. Chap 148

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That Augustus Greulich, Francis Heubschmann, Jacob A. Horner, John B. Vleit, William F. Opitz, Frederick Hilgen, John H. Thien, Moses Weil, William Wightman and John Bannister, be, and they are hereby appointed commissioners under the direction of a majority of whom subscriptions may be received to the capital stock of the Milwaukee and Fond du Lac plank road company, hereby incorporated; and they may cause books to be opened at such times and places as they shall direct for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days notice of the times and places of taking such subscriptions, by publishing the same in one or more newspapers printed in Milwaukee county. Commissioners appointed.

Amount of capital stock.

SEC. 2. The capital stock of said company shall be one hundred and fifty thousand dollars, in shares of twenty dollars each, and as soon as five hundred shares of the capital stock shall be subscribed, and ten per cent on each share actually paid in, the subscribers of such stock, with such other persons as shall associate with them for that purpose, their successors and assigns, shall be, and they are hereby created and declared a body corporate and politic, by the name and style of the Milwaukee and Fond du Lac plank road company, with perpetual succession; and by that name shall be capable in law of purchasing, holding, selling, leasing and conveying estate, real, personal or mixed, and in their corporate name may sue and be sued, may have a common seal, which they may alter or renew at pleasure, and generally may do all and singular the matters and things which are authorized by law for the interest and well being of said company.

Powers, &c.

When commissioners to give notice of meeting to elect directors.

SEC. 3. The said commissioners, or a majority of them, after the said five hundred shares of stock shall have been subscribed as aforesaid, shall give at least twenty days notice in the newspapers heretofore mentioned, of the time and place of a meeting of the stockholders for the purpose of electing seven directors; and annually thereafter, the said stockholders shall meet on the first Monday in January, for the purpose of electing directors as aforesaid, upon a like previous notice to be given by a majority of the directors, for the time being, in such newspapers as they may think proper: *Provided*, that previous to the first election, the commissioners hereinbefore named shall elect one of their number president, and they shall perform all the duties, and be invested with all the power of directors: *Provided further*, That if from any cause an election shall not be held at the regular time specified therefor, the same may be held at any other time on notice as aforesaid, that until such election, the directors of the preceding year shall continue to act, and this charter shall not be avoided by reason of any irregularity or want of such election, and in case of any vacancy in the board of directors, the same shall be filled by the other directors or a majority of them.

Proviso.

Proviso.

How affairs of company managed.

SEC. 4. The affairs of said company shall be managed by a board of seven directors, who shall be stockholders, and be chosen annually by ballot, by the stockholders of said company, the votes to be given in person, or by proxy, duly authorized, which directors shall appoint one of their number president, and shall serve until others are elected in their stead. They shall make and establish such by-laws, rules, orders, and regulations as may be necessary for the well ordering of the affairs of said company.— Each share of stock shall be entitled to one vote, and in all cases of elections for directors, the seven stockholders having the greatest number of votes shall be declared duly elected.

Duties, &c.

Five directors a quorum.

Duties, &c.

SEC. 5. Five directors shall be a quorum for the transaction of business, who in the absence of the president may appoint a president, pro tempore. The said directors shall appoint a secretary, treasurer and such engineers and other officers as they may find necessary; shall fix their compensation and may demand ad-

equale security for the performance of their respective trusts : they shall have full power to decide the time and manner in which the said stockholders shall pay the money due on their respective shares, may declare forfeited to the use of the company the share or shares of every person failing to pay any instalment, at a reasonable period, not less than thirty days after the time appointed for the payment thereof: *Provided*, No instalment shall be demanded of the stockholders, exceeding two dollars at any one time on such share, nor while a sum exceeding three thousand dollars, remains in the hands of the treasurer, unappropriated, to such portion of the work as may at the time be completed. They shall have power to regulate tolls to make such covenants, contracts, and agreements with any person or persons, or body politic, whatsoever, as the execution and management of the works and the convenience and interests of the company may require, and in general to superintend and direct all the operations, receipts, disbursements and other proceedings of the company. The commissioners, until the directors are chosen, shall issue certificates to each stockholder for the number of shares he or she shall subscribe for, or hold in said corporation, signed by the president and countersigned by the secretary, subject to all the payments due and to become due thereon, which stock shall be transferable in person, or by attorney, executors, administrators, guardians or trustees, under such regulations as may be provided by the by-laws of said company.

Proviso.
Power of directors.
Duty of commissioners.

SEC. 6. The said company shall have power to locate and construct a single or double track plank road, from such eligible point in the city of Milwaukee and passing through the towns of Milwaukee and Mequon, and the villages of Cedarburg and West Bend, to the village of Fond du Lac ; and they shall have power to extend said road from from Fond du Lac to Taychedah, and to erect all such toll houses, bridges, and other works and appendages as may be necessary for the convenience of said company, in the use of said road, and also to connect said road with other plank roads in the territory or state of Wisconsin, and to unite and consolidate stock with any such plank road company. The track of said road shall be constructed of plank, stone, gravel or charcoal, in whole or in part, at the option of the directors, so that the same shall constitute a firm and smooth surface for the passage of wagons and carriages. The directors shall exercise all powers conferred on them by law ; shall audit and pay all accounts against said company ; fix the compensation and salary of the officers they may appoint ; and meet at such times and places as they may prescribe in the by-laws to be enacted by them. They may appoint and remove all officers at pleasure ; prescribe the meeting of the stockholders and declare and pay the dividends, or so much of the surplus profits of the company as they shall deem advisable, which may accrue on the shares of said stock to the stockholders of said company, on the first Monday of July and January in each year.

Power to locate road.—
Route.
Materials to construct road.
Power of directors, &c.

SEC. 7. It shall and may be lawful for said company their of-Right to

out a route.

fishers, engineers and agents, to enter upon any lands for the purpose or exploring, surveying and locating the route of said plank road, doing thereto no unnecessary damage; and when said route shall be determined by the said company, it shall be lawful for them, their agents, officers, engineers, contractors and servants, at any time, to enter upon, take possession of, and use such lands, not exceeding four rods in width, along the line of said route, subject, however, to the payment of such compensation as the company may have agreed to pay therefor, or as will be ascertained in the manner hereinafter directed: *Provided*, That in such places as may be necessary for the company to obtain gravel and stone, or to make excavations and embankments for the construction of said road, the company may locate the route of said road, not to exceed six rods in width, and they may also cut down such trees on each side of said road as may endanger said road by falling or otherwise.

Proviso.

When price of materials, &c. cannot be agreed upon the question to be submitted to jury.

SEC. 8. When the said corporation cannot agree with the owner or owners of any land, gravel, stone, or other material required for the construction of said road, for the purchase thereof, or for the compensation to be paid therefor, or when by reason of the absence or legal incapacity of the owner or owners, no such agreement or purchase can be made, then and in any such case, it shall be lawful for any justice of the peace of the town in which the property may lie, to issue a warrant, directed to the sheriff or any constable of said county, not directly interested, requiring him to summon a jury of nine freeholders of said county, not interested in said property, to meet the said justice at some convenient place, at or near the property to be valued, on a day in said warrant named, not less than five nor more than ten days from the date of said warrant; and if at the time and place named, any of the persons so summoned do not attend, the said sheriff or constable shall immediately summon as many as may be necessary, with the persons in attendance as jurors to furnish a pannel of nine jurors, and from them; the said company and the owner or owners of the property to be valued, their agent or attorney, or either of them, and if they are not present in person or by attorney, the sheriff or constable shall for him, her or them, strike off, each two of said jurors, and the remaining five shall act as a jury of inquest of damages. Before they act as such, the said justice of the peace shall administer to each of them an oath or affirmation, that they will faithfully and impartially value the land and material required for such road, and all damages which the owner or owners shall sustain by reason of the construction of said road, taking into consideration the advantages the same will be to the owner or owners according to the best of his skill and judgment; whereupon the said justice and jurors shall proceed to review the said land or material so required, and to hear the evidence of the respective parties, which the said justice shall reduce to writing, which shall be signed by the said justice, and the verdict of the jurors thereon shall be signed by the jurors, or a majority of them, and by the justice of the peace; and the said justice of the

Jury to take an oath.

peace shall within five days thereafter, transmit the same to the clerk of the district court of the proper county, who shall file the same. Such inquisition shall describe the property taken or to be taken, or the boundaries of the land in question, and the value thereof, as aforesaid, and such valuation, when paid, together with the costs of such inquisition, or tendered to the owner or owners, or deposited with the said court shall entitle the said company to the estate and interest in the same thus valued, as if it had been conveyed by the owner or owners thereof, so long as the land thus valued and taken shall be used for the track of said plank road: *Provided*, that it shall not be lawful for any justice and jury of inquest to proceed in the valuation of any such property or material, in the absence of the owner or owners thereof, his, her, or their legal representatives, unless it be made to appear, by affidavit, that such owner or owners have had at least five days notice of the time and place of the meeting, for the purpose of making such valuation, or unless it shall in like manner be shown that such owner or owners are under age, or non-compos mentis. Such service of notice may be made upon the guardian or trustee, under the same restrictions as in case of owners, or if there be no guardian or trustee, the same shall be established by affidavit: *Provided*, That no such materials shall be taken, if the jury shall decide that the same are essential to the owner or owners thereof.

Verdict of jury
how filed.

Proviso.

Proviso.

SEC. 9. The shares of stock of the corporation shall be deemed personal property, and every person becoming a shareholder by transfer, purchase or otherwise, of shares of said stock, shall succeed to all the rights and liabilities of the prior holder of said share or shares, and the shares shall be liable to be taken in execution for the payment of the debts of the owner, in such manner as is or may be provided by law. Wherever the route of said road follows the line of any public highway, the said company shall not take possession of said highway until the commissioners of highways, for the town through which it passes, shall have given them written consent, which shall be recorded in the town clerks office.

Stock to be per
sonal property.

SEC. 10. The directors may erect toll gates, and exact toll from persons traveling on their road, whenever five consecutive miles are finished, or when the whole road is completed, not exceeding two cents a mile for every vehicle, sled, sleigh or carriage drawn by two animals; and if drawn by more than two animals, one cent a mile for every additional animal; for every vehicle, sled, sleigh or carriage drawn by one animal, one cent a mile; and for every horse and rider, or led animal, one cent a mile; for one score of sheep or swine, one cent a mile, and for every score of neat cattle, four cents per mile: *Provided*, That persons going to and from military parade, at which they are required by law to attend, and persons going to or returning from funerals, shall be exempt from toll. The toll-gatherer at each and every gate, when erected on said road in pursuance of this act, may detain and prevent from passing such gate any carriage or animal subject to toll until the toll thereon is paid.

May erect toll
gate.

Rates of toll.

Proviso.

Punishment
for malicious
injury.

SEC. 11. If any person shall wilfully and knowing obstruct, break, injure or destroy the plank road to be constructed by said company or any part thereof, or any work, buildings or fixtures attached to, or in use upon the same, belonging to said company, such person or persons so offending, shall, each of them, for every such offence be liable to a civil suit for the recovery of damages by said company, by an action of trespass, in any court having competent jurisdiction in the county wherein the offence shall have been committed, and shall also be subject to indictment, and upon conviction, shall be punished by fine and imprisonment, or either at the discretion of the court.

Additional pen-
alties.

SEC. 12. Any person who shall wilfully break or throw down any gate on such road, which may have been erected in pursuance of this act, or do any damage to said road, or forcibly or fraudulently pass any such gate without having paid the legal toll, or to avoid the payment of the legal toll, shall with his team, carriage or animal turn out of said road, or pass any gate thereon, or ground adjacent thereto, and again return on said road, shall for each offence forfeit a sum not exceeding ten dollars, to and for the use of said company, and also for all damages done to the profits of said company, in an action of trespass.

Directors may
increase capi-
tal stock.

SEC. 13. The directors of said company, at any annual or special meeting of the stockholders, with the consent of a majority in amount of said stockholders, may provide for such increase of the capital stock of said company as may be found necessary to complete said road, in such sections as may have been actually commenced, but remain in an unfinished state for want of means for completing the same.

Rights re-
scind to state.

SEC. 14. If said company shall violate any of the privileges hereby granted, the legislature of the state of Wisconsin may rescind all and singular the rights and privileges vested in said company by this act.

How charter
to become null
and void.

SEC. 15. If said corporation shall not within three years from the passage of this act commence the construction of said plank road, and expend three thousand dollars or more thereon, and shall not within ten years from the passage of this act, construct, finish and put in operation a single or double track of plank road from Milwaukee to Fond du Lac, then the rights, privileges and powers of the said corporation under this act shall be null and void.

How act con-
strued.

SEC. 16. This act shall be favorably construed to effect the purposes thereby intended, and the same is hereby declared to be a public act, and copies thereof, printed by authority of the state, shall be received as evidence thereof.

SEC. 17. This act may be altered or amended by any future legislature of the state of Wisconsin.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to repeal an act entitled "an act to authorize Nathan H. Strong and Thomas Noyes to establish and maintain a ferry across Fox river," approved February 23, 1848, and to authorize Nathan H. Strong and Thomas Noyes to build, construct and maintain a bridge across said river. Chap 149

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That an act entitled "an act to authorize N. H. Strong and Thomas Noyes to establish and maintain a ferry across Fox river, passed, approved February 23, 1848," is hereby repealed. Act repealed.

SEC. 2. That Nathan H. Strong and Thomas Noyes, their associates, successors, and assigns, are hereby authorized to build, construct, and maintain a bridge across Fox river at the foot of Huron street in the village of Stronsville, Marquette county. Authorized to build bridge.

SEC. 3. Said bridge shall be constructed with a draw, capable of letting all boats pass and re-pass through the same without delay, and shall in no manner obstruct the free navigation of said river. Bridge to have draw.

SEC. 4. Any person or persons committing any malicious injury to said bridge hereafter to be constructed under the provisions of this act, shall be liable to the owner or owners thereof for the amount of injury done, and all damages sustained may be collected before any court having competent jurisdiction, and in accordance thereto, upon conviction thereof or be punished in the manner prescribed by law for offences of that nature. Punishment for malicious injury.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to authorize the laying out of a state road therein named.

Chap 150

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That James T. Flint, S. C. Jerome, and Alonzo D. Dick, be, and are hereby appointed commissioners to lay out and establish a state road from Plymouth, Sheboygan county, to some point on Lake Winnebago, in the town of Manchester in Calumet county. Commissioners appointed.

SEC. 2. The commissioners shall not be entitled to any compensation from the state for services rendered under the provisions of this act. Compensation.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 151 An act to provide for laying out a road from Waupun, Fond du Lac county to Oskhosh in Winnebago county.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Commissioners appointed. SECTION 1. That Henry W. Woolcott, Noah W. Jewett, and David W. Hyde, are hereby appointed commissioners to lay out and establish a state road from Waupun in Fond du Lac county, to Oskhosh in Winnebago county, the said road to run on the east line of section thirty-four, (34,) in the town of Rosendale, town sixteen, (16,) in range fifteen, (15,) east, county of Fond du Lac.

Compensation. SEC. 2. The said commissioners shall be entitled to receive for laying out said road, such compensation as the board of supervisors of Fond du Lac and Winnebago counties may deem sufficient, no part of which shall be paid out of the state treasury.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 152 An act to authorize school district number one in the town of Delevan to raise a tax for the purposes therein mentioned.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Authorized to levy school house tax. SECTION 1. It shall be lawful for school district number one, in the town of Delevan, at any annual or special meeting of said district, to levy a tax on the taxable property of said district, not to exceed one thousand dollars in any and each year, for three successive years next following the passing of this act, for the purpose of purchasing a site and erecting a school house thereon in said district: *Provided*, That due notice shall be given of all meetings at which any portion of said tax shall be voted.

How levied and collected. SEC. 2. Said tax shall be levied and collected as is now provided by law for the levying and collection of taxes for the building of school houses.

SEC. 3. This act to take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to authorize the holding of an election in the county of La Pointe. **Chap 153**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The electors of the county of La Pointe are here- Authorized to
by authorized to hold an election on the first Monday of June next elect county
for the purpose of electing a sheriff, and to fill all vacancies in coun- officers.
ty offices within said county, who may enter immediately upon the
duties of their respective offices.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Rev. John Penman the sum therein named. **Chap 154**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to Rev. John Pen- Rev. J. Pen-
man the sum of fifty dollars for services as chaplain at the last ses- man.
sion of the legislature.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to repeal sections 14, 15, 16, 17 and 18 of an act entitled an act to **Chap 155**
amend an act incorporating the village of Geneva, approved Feb. 24, 1845.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The fourteenth, fifteenth, sixteenth, seventeenth, Sections re-
and eighteenth sections of an act entitled an act to amend an act repealed.
incorporating the village of Geneva, approved February 24, 1845,
is hereby repealed.

SEC. 2. This act to be in force and effect from and after its
passage.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February, 9, 1850.

NELSON DEWEY.

Chap 156

An act to organize a court in the county of La Pointe.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

County organized, and judge to be elected.

SECTION 1. The county of La Pointe from and after the first Monday in the month of July next, shall be organized for judicial purposes, and the electors of said county are authorized to hold an election on the first Monday of July next, for the purpose of electing a county judge in and for said county; said judge shall enter forthwith upon the duties of said office, after due notice of his election, and the qualification according to law, and shall have the same powers and jurisdiction of other county judges; said judge shall hold his office until the next general election of county judges.

SEC. 2. The terms of the circuit court for the county of La Pointe shall be on the second Monday in March and the second Monday in September of each year.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 157 An act to incorporate the Two Rivers and Green Bay Plank Road Company.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Commissioners appointed.

SECTION 1. That Hezekiah H. Smith, John F. Meade, Daniel Smith, Morgan I. Martin, Henry S. Baird, James M. Sprague, Lorenz Peterson, Henry Hamilton, and Charles B. Daggerts, be and they are hereby appointed commissioners under the direction of a majority of whom subscriptions may be received to the capital stock of the Two Rivers and Green Bay Plank Road Company, and they may cause books to be opened at such times and places as they shall direct, for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days notice of the times and places of taking subscriptions, by publishing the same in a newspaper in Green Bay.

Created a body corporate.

SEC. 2. All persons who shall become stockholders pursuant to the provisions of this act, are hereby created a body corporate in law, with continual succession for fifty years, by the name and style of "the Two Rivers and Green Bay Plank Road Company," for the purpose of constructing a plank or charcoal road, from the town of Two Rivers in the county of Manitowoc to the town of Green Bay in the county of Brown, which company shall have power to sue and be sued in all courts, to receive by gifts or purchase, and hold all such real or personal estate as may be necessary for the construction and management of said road, and the

same to sell, convey, or lease, to contract or be contracted with, in all matters pertaining to the objects of said road; to have and use a common seal, and pass all by-laws necessary for the government of said company.

SEC. 3. The capital stock of said company shall be one hundred thousand dollars, to be divided into shares of twenty-five dollars each, and shall be assignable and transferable in such manner as shall be prescribed in the by-laws of said company. Amount of capital stock.

SEC. 4. Whenever twenty thousand dollars of the capital stock of said company shall be subscribed for, and ten per cent. paid thereon to said commissioners for the use of said company, it shall be the duty of the commissioners named in this act to call a meeting of the stockholders, at such time and place as they shall designate, by giving public notice thereof in one or more newspapers published in the town of Green Bay, or by posting two or more written notices of the same in the most conspicuous places in the town of Two Rivers, for the purpose of choosing nine directors of said company, and the persons then chosen shall be the first directors of said company, and shall hold their offices for one year, and until others are chosen in their stead. The board of directors shall choose one of their number as president of the company, who shall also hold his office for one year, and until his successor is elected; at every election of directors of said company, each stockholder shall be entitled to one vote for every share of capital stock he shall hold, and may vote in person or by proxy. When commissioners to call meeting to choose directors.

SEC. 5. The company when so organized shall have the right to locate and construct a single or double track, plank or charcoal road between the points mentioned in the second section of this act, or any part of the distance; the track of said road shall be constructed of timber and plank, charcoal, stone or gravel, or partly of each, so as to have a hard, smooth, and even surface, equal to a plank road surface; the particular manner of building said road to be determined by the said board of directors. Kind of road to be constructed.

SEC. 6. The location of the route of said road shall be determined by the board of directors of said company, and if the same be located on any public highway, they shall have power to contract with the supervisors of the town in which such road may be, for the right to use such highway for the purposes of said road, and the supervisors of such towns are hereby authorized to grant to said company the right to use any highway in their towns as aforesaid, on such terms as they may agree upon. Directors to locate route.

SEC. 7. If said company shall not within five years from the passage of this act, commence the construction of said road, and shall not within that time have constructed a single or double track or a distance of ten miles, then and in that case, it shall be considered a violation and non user of their charter, and all the rights, privileges, and powers of said company under this act, shall be resumed by the state of Wisconsin, and such disposition made with regard to any portion of said road, which may have been constructed, as the legislature thereof may deem meet and proper, consistent with law and justice. If 10 miles not completed within 5 years, charter forfeited.

Authorized to survey route.

SEC. 8. It shall and may be lawful for said company, their officers, engineers, and agents, to enter upon any lands for the purpose of exploring, surveying, and locating the route of said road, doing thereto no unnecessary damage, nor locating any such route through any orchard or garden without the consent of the owner thereof, nor through any buildings or any fixtures or erections for the purposes of trade or manufactures, or any yard or enclosure necessary to the use and enjoyments thereof, without permission from the owners; and when the said route shall be determined by the said company, it shall be lawful for them, their officers, agents, engineers, contractors, and servants, at any time, to enter upon, take possession of, and use such lands, to the width of four rods; and also to take from any lands adjoining said road, gravel, stone or earth, for the purpose of constructing or repairing said road, subject, however, to the payment of such compensation as the company may have agreed to pay therefor, or as shall be ascertained in the manner hereinafter directed and provided in the case of land.

To make use of materials for same.

In case of disagreement as to damages, how estimated.

SEC. 9. Whenever it shall be necessary for the said company to enter upon and occupy, for the purpose of making said road, any land upon which the same may be located, and the owner or owners thereof shall refuse to permit such entry, or occupation, and the parties cannot agree upon the compensation to be made for any injury that may be done to such land by such entry and occupation, it shall and may be lawful for the parties to appoint three disinterested persons to estimate such damage, who shall take an oath or affirmation, fairly and impartially to estimate the same, and who shall reside within the counties where the land lies. The expenses incurred by said appraisers, shall be defrayed by the said company, but if parties cannot agree upon such persons, or if the persons so chosen shall not decide upon the matter, or if the owner of such land shall refuse or neglect to join in such appointments within twenty days after the requisition for that purpose upon him made, or if such owner shall be under legal disability or out of the state, then it shall be lawful for the judge of the circuit court of the circuit in which such land lies, on application of either party, and at the cost and charge of the said company, to appoint three disinterested persons of the said county, to view and examine said lands and estimate the injury and damage, if any in their judgment will be sustained, as aforesaid, by reason of the location and construction of said road, and report the same under oath or affirmation, to the circuit court of said county, which report being confirmed by said court, judgment shall be entered thereon. The said viewers shall be entitled to two dollars per day, each, for their services, to be paid by the said company, in all cases where the damages shall be assessed to a greater amount than the sum that may have been tendered by said company for the use of such land, or be paid by the owner or owners in all cases where the assessed damages shall not be greater than the sum thus tendered: *Provided*, That in case the owner of such

When to be decided in circuit court.

Compensation.

Provide.

land be under any legal disability, the costs of such assessment shall be paid by said company, and it shall be the duty of the appraisers in estimating such damages, to take into consideration the advantages that may accrue to the owner of said lands from the construction of said road: *Provided, further,* That either party may appeal to the said court within thirty days after such report may have been filed in the clerk's office, and such appeal shall be tried as other issues arising in said court: *And provided also,* That upon payment or tender of payment of the sum specified in the report of said viewers or appraisers, to the owners of said land, or a deposit of the same for their benefit, with the clerk of the circuit court of the county in which the land is situated, the said company may immediately take and use the same without waiting the issue of said appeal.

Proviso.

Proviso.

SEC. 10. The directors of said company may appoint a secretary, treasurer, and such other officers as they may find necessary, and shall have full power to decide the time and manner and proportions in which the said stockholders shall pay the money due on their respective shares, and to forfeit to the use of the company any share or shares held by any person or persons failing to pay any instalments so required to be paid, after advertisement of the same for a period not less than sixty days in one or more newspapers, or by posting two or more written notices, as hereinbefore provided: *Provided,* That no instalment called in at any one time, shall exceed five dollars per share, and that no instalment shall be called by the directors without giving at least thirty days notice thereof in the newspapers as aforesaid.

Directors to appoint officers.

Proviso.

SEC. 11. The directors elected as aforesaid shall issue a certificate to each stockholder for the number of shares he or she shall subscribe for or hold in the said company, signed by the president, countersigned by the secretary, and sealed with the common seal; subject however, to all the payments due and to become due thereon, which stock may be transferable in person or by attorney, executors, administrators, guardians, or trustees, under such regulations as may be provided in the by-laws of the company.

Directors to issue certificate of stock.

SEC. 12. At each annual meeting of the stockholders for the purpose of electing directors, the directors of the preceding year shall exhibit to the meeting a complete statement of the affairs and proceedings of the company for such year; and special meetings of the stockholders may be called by order of the directors, or by any number of stockholders holding one fourth in amount in the capital stock of the company, on like notice as required for annual meetings, but no business shall be transacted at such special meeting unless a majority in value of all the stock shall be then and there represented.

Directors to exhibit statement.

When business can be equally transacted.

SEC. 13. On the completion of said road, or any portion of the track not less than five consecutive miles, the company may erect one or more toll gates upon their road, but not at a less distance than five miles apart, and may demand and receive such tolls as from time to time they think reasonable, not exceeding

May erect toll gates.

Rates of toll. two cents per mile for any vehicle drawn by two animals, one cent per mile for every additional animal, for every vehicle drawn by one animal one cent per mile, for every horse and rider or led horse one cent per mile, and for every twenty sheep or swine, and for every twenty neat cattle one cent per mile: *Provided*, That it shall be the duty of said company during the month of January in each year after the completion of such portion of the road, as will authorize them to erect one or more toll gates, to make a report to the legislature, setting forth particularly the amount of capital invested, the length of road in operation, the expenses paid and tolls collected during the preceding year, and generally such information in regard to the affairs of the company as the legislature may require, which report shall be verified by the oath or affirmation of the president or secretary and one of the directors of said company.

Punishment for malicious injury.

SEC. 14. If any person shall wilfully and knowingly obstruct or break, injure, or destroy the road so to be constructed by said company, or any part thereof, or any work or fixtures attached to or in use upon the same, belonging to said company, such person or persons so offending, shall each of them, for every such offence, be liable to a civil suit for the recovery of damages by said company, in any court having competent jurisdiction in the county, wherein the offence shall have been committed, and also be subject to indictment, and upon conviction of such offence shall be punished by fine and imprisonment, or either at the discretion of the court.

Individual stock liable.

SEC. 15. The property of every individual which may be invested in said corporation shall be liable to be taken in execution for the payment of his or her debts in such manner as is or may be provided by law: *Provided*. That all debts due said company from such individual shall be first paid.

Proviso.

Debts not to exceed 50 per cent., &c.

SEC. 16. The debts and liabilities of said corporation shall not exceed in amount at any one time fifty per cent. of its capital actually paid in, and if debts and liabilities shall at any time be incurred to a greater amount than by this section provided for, the directors of said company shall be jointly and severally individually liable for such excess, in addition to their other liabilities in law, and as provided for in this act.

Authorized to increase capital stock.

SEC. 17. The directors of said company may at any annual or special meeting of the stockholders with the consent of a majority in amount of said stockholders, provide for such increase of the capital stock of said company as may be found necessary to complete said road in such sections as may have been actually commenced, but remain in an unfinished state for want of means: *Provided*, That the whole stock of said company shall not be so increased as to exceed at any time three thousand dollars per mile for each mile of road.

Proviso.

Penalty for misuser.

SEC. 18. If said company shall misuse or abuse any of the privileges hereby granted, the legislature may resume all and singular the rights and privileges vested in said company by this act

and may establish rules and regulations for the government of said company in relation to said road and the use of the same.

SEC. 19. That said company shall be liable for all injury or damage which any person may sustain in his or her person or property, by reason of the said road being out of repair, or of any defects in said road. County liable for injuries.

SEC. 20. This act may be altered or amended by any future legislature of the state of Wisconsin.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Joel Rathbone the sum therein named.

Chap 158

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Joel J. Rathbone. Rathbone the sum of one hundred and forty dollars, in full for interest on bonds numbered fifty-five and fifty-six, up to December 20th, 1849.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to pay Moritz Schöffler, Frederick Fratney and Ernest F. Herzburg, the sum therein named. Chap 159

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. The sum of one thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated to Moritz Schöffler, Frederick Fratney and Ernest F. Herzburg, for printing the pamphlet laws of 1849, in the German language under authority of an act entitled "an act to provide for the publication of certain laws therein mentioned in the German and Norwegian languages." M. Schöffler and others.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 160

An act to appropriate certain sums therein named.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

D. B. Travis. SECTION 1. That there be, and hereby is, appropriated out of any monies in the state treasury not otherwise appropriated, to David B. Travis, sixty-four dollars and eighty-eight cents, for selecting lands under grant of ten sections, and marking plats of same.

The same. SEC. 2. That there be, and hereby is, appropriated out of any monies in the state treasury not otherwise appropriated, to David B. Travis one hundred and eighty dollars for selecting lands under the grant from Congress of five hundred thousand acres of land.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 161 An act to appropriate to Messrs. Atwood & Buck the sum of thirteen dollars and fifty cents.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Atwood and Buck. SECTION 1. There is hereby appropriated to Messrs. Atwood & Buck, the sum of thirteen dollars and fifty cents, out of any money not otherwise appropriated, for publishing laws of the state certified to by the secretary of state.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 162

An act to pay Charles Dunn, jr., Assistant Librarian.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

C. Dunn, Jr. SECTION 1. There is hereby appropriated to Charles Dunn, Jr., the sum of ninety dollars, for his services as assistant librarian for the present session of the legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to provide for paying the contingent expenses of the state for the year one thousand eight hundred and fifty. **Chap 163**

THE People of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

SECTION 1. There is hereby appropriated to Nelson Dewey, Contingent governor of the state of Wisconsin, the sum of three thousand fund. dollars, out of any money in the treasury not otherwise appropriated, for the purpose of paying the contingent expenses of the state of Wisconsin, for the year one thousand eight hundred and fifty.

SEC. 2. The sum above appropriated shall be drawn by the governor in such sums as may from time to time be required for the payment of contingent expenses of the state. When drawn from treasury.

SEC. 3. The governor shall communicate to the legislature at its next annual session a detailed account of the contingent expenses of the state for the year one thousand eight hundred and fifty, and how much of said sum of three thousand dollars, above appropriated, has been drawn from the treasury by him. To render an account, &c.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to incorporate the Manitowoc and Calumet Plank Road Company. **Chap 164**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Daniel H. Whitney, Lemuel Goodell, Orrin E. Waller, William Umston, Alonzo D. Dick, William H. Dick, H. H. Champlin, A. McNulty, O. C. Hubbard, Pliny Pierce, Harvey E. Case, and R. H. Stuart, be, and are hereby appointed commissioners, under the direction of a majority of whom, subscriptions may be received to the capital stock of the Manitowoc and Calumet plank road company, and they may cause books to be opened at such times and places as they shall direct for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days notice of the times and places of receiving subscriptions, by publishing in a newspaper, printed either in the county of Manitowoc or Calumet, and if there should be no newspaper printed in either of the said counties, then in some newspaper printed in some county thereto adjoining. Commissioners appointed. To give notice.

SEC. 2. All persons who shall become stockholders pursuant to the provisions of this act, are hereby created a body corporate in law, with continual succession, by the name and style of the Manitowoc and Culumet plank road company, for the purpose of constructing a turnpike road from the town of Manitowoc in the county of Manitowoc, to some point on lake Winnebago, as near opposite Oshkosh, as shall be deemed most advantageous to said Stockholders created a body corporate, &c.

cases where the damages shall be assessed to a greater amount than the sum that may have been tendered by said company for the use of said land or be paid by the owner or owners in all cases where the assessed damages shall not be greater than the sum thus tendered: *Provided*, That in case the owner of such land be under any legal disability, the costs of such assessment shall be paid by said company, and it shall be the duty of the appraisers estimating such damages, to take into consideration the advantages that may accrue to the owner of said lands from the construction of said road: *Provided further*, That either party may appeal to the said court within thirty days after such report may have been filed in the clerk's office, and such appeal shall be tried as other issues arising in said court: *And provided also*, That upon payment or tender of payment of the sum specified in the report of said viewers or appraisers, to the owners of said land, or a deposit of the same for their benefit, with the clerk of the circuit court of the county in which the land is situated, the said company may immediately take and use the same without waiting the issue of said appeal.

Power of directors. SEC. 10. The directors of said company may appoint a secretary, treasurer, and such other officers as they may find necessary, and shall have full power to decide the time and manner and proportions in which said stockholders shall pay the money due on their respective shares, and to forfeit to the use of the company, any share or shares held by any person or persons failing to pay any instalment so required to be paid, after advertisement of the same for a period not less than sixty days in a newspaper, as hereinbefore provided: *Provided*, That no instalment called in at any one time shall exceed four dollars per share, and no instalment shall be called in by the directors without giving at least thirty days notice thereof, in a newspaper, as aforesaid.

Directors to issue stock certificates. SEC. 11. The directors elected as aforesaid, shall issue a certificate to each stockholder for the number of shares he or they shall subscribe for, or hold in the said company, signed by the president, countersigned by the secretary, and sealed with the common seal, subject, however, to all the payments due and to become due thereon, which stock may be transferable in person or by attorney, executors, administrators, guardians, or trustees, under such regulations as may be provided in the by-laws of the company.

Exhibit to be made. SEC. 12. At each annual meeting of the stockholders for the purpose of choosing directors, the directors of the preceding year shall exhibit to the meeting a complete statement of the affairs and proceedings of the company for such year; and special meetings of the stockholders may be called by the directors, or by any number of stockholders holding one-fourth in amount in capital stock of the company, on like notices as required for annual meetings, but no business shall be transacted at such special meeting unless a majority in value of all the stock shall be then and there represented.

When toll gates authorized. SEC. 13. On the completion of said road, or any portion of the track, not less than five consecutive miles, the company may

ect one or more toll-gates upon their road, but not at a less distance than three miles apart, and may demand and receive such tolls as from time to time they think reasonable, not exceeding two cents per mile for any vehicle drawn by one or two animals; one cent per mile for every additional animal; for every horse and mule or led horse, one cent per mile; for every score of sheep or swine, one cent per mile, and for every score of neat cattle, two cents per mile.

SEC. 14. If any person shall wilfully and knowingly obstruct, break, or injure or destroy the road so to be constructed by said company, or any part thereof, or any work or fixtures attached to it in use upon the same, belonging to said company, such person or persons so offending shall each of them for every such offence, be liable to a civil suit for the recovery of damages by said company, in any court having competent jurisdiction in the county wherein the offence shall have been committed, and shall also be subject to indictment, and upon conviction of such offence shall be punished by fine and imprisonment, or either, at the discretion of the court. Penalty for malicious injury.

SEC. 15. The property of every individual, which may be interested in said corporation shall be liable to be taken in execution for the payment of his or her debts, in such manner as is or may be provided by law: *Provided*, That all debts due said company from such individuals shall be first paid. Property of individuals liable.

SEC. 16. The debts and liabilities of said corporation, shall not exceed, in amount, at any one time, fifty per cent of its capital actually paid in, and if debts and liabilities shall at any time be incurred to a greater amount than by this section is provided for, the directors of said company shall be jointly and severally individually liable for such excess, in addition to their other liabilities in law as provided for in this act. Limitation of liabilities.

SEC. 17. The directors of said company may, at any annual special meeting of the stockholders, with the consent of a majority in amount of said stockholders, provide for such increase of the capital stock of said company to complete said road. May increase capital stock.

SEC. 18. If said company shall misuse or abuse any of the privileges hereby granted, the legislature may resume all and singular the rights and privileges vested in said company by this act, and may establish rules and regulations for the government of said company in relation to said road and the use of the same. Penalty for misuser.

SEC. 19. That said company shall be liable for all injury or damage which any person may sustain in his person or property by reason of the said road being out of repair, or of any defect in said road. Company liable for damages.

SEC. 20. This act may be altered or amended by any future legislature of the state of Wisconsin.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 169

An act to provide for establishing a state road therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Commissioner's appointed.

SECTION 1. That C. J. Marsh, Robert V. Allen, and Daniel Comfort, are hereby appointed commissioners to lay out and establish a state road from Hamilton in Marquette county, through the Menominee purchase to the narrows of the Dells on the Wisconsin river.

Compensation.

SEC. 2. Said road shall be laid out and surveyed by the first day of July next, and the said commissioners shall receive such pay as the boards of supervisors in the counties through which said road passes, shall deem best to allow them: *Provided*, That no portion of the expense of laying out and surveying said road shall be paid out of the state treasury.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 170

An act to provide for laying [out] certain state roads therein described.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Commissioner's

SECTION 1. Clark Whitney, Andrew Dunn, and Harris Searle, are hereby appointed commissioners to lay out and establish a state road from Wycena in Columbia county and Winnebago Portage on the east side of the Wisconsin river, by the Elbow in the Dells on [the] Wisconsin river, thence to the upper mills on the Lemonware, thence to Prairie La Cross on the Mississippi.

The same.

SEC. 2. Harris Searle, Robert Campbell, and Thomas Weston, are hereby appointed commissioners to lay out a state road from Prairie La Cross on the Mississippi river to Shaurette on the Wisconsin river.

The same.

SEC. 3. Jacob Spaulding, James Perry, and Harris Searle, are hereby appointed commissioners to lay out and establish a state road from the Falls of Black river in Crawford county to the upper mills on the Lemonware river in Adams county.

How act construed.

SEC. 4. The provisions of this act shall not be so construed as to make the state responsible for any charge incurred in the laying out of the roads herein provided for.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend an act entitled "an act to authorize the construction of a bridge across Nepasink lake." **Chap 171**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Sections one and two of an act to authorize the construction of a bridge across Nepasink Lake, approved March 11, 1848, are amended so as to read as follows :

SECTION 1. Asahel W. Benham, his associates, heirs, and assigns are hereby empowered to build, construct, and maintain a bridge across Nepasink Lake in the town of Wheatland in Racine county, at a point where the territorial road laid out under the provisions of an act entitled "an act to establish certain territorial roads therein named," approved March 11, 1848, crosses said lake. Authorized to construct bridge.

SEC. 2. The said Asahel W. Benham, his associates, heirs, and assigns, shall have power whenever said bridge is built, and as long as it is kept in good repair, to demand and collect for the crossing of said bridge the following rates of toll to wit: For any vehicle drawn by one horse, ox, or mule, the sum of six and one quarter cents; for any vehicle drawn by two horses, oxen, or mules, the sum of ten cents, and for each additional horse, ox, or mule, the sum of three cents, and for a single horse, ox, or mule, the sum of five cents, for all animals in droves the sum of three cents each: *Provided*, That hogs and sheep shall not be charged more than at the rate of one cent per head. To demand toll. Rates.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to provide for laying out a state road from Burlington to East Troy. **Chap 172**

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. Nelson R. Norton, W. P. Stirms, and Emery Thayer are hereby appointed commissioners to lay out and establish a state road from the village of Burlington in the county of Racine by way of Vienna to East Troy in the county of Walworth. Commissioners appointed.

SEC. 2. The said commissioners shall receive for their services in laying out said road such reasonable compensation as shall be allowed by the board of supervisors of said counties: Compensation. *Provided*, That no part of the expense of laying out and surveying said road stated, shall be paid out of the state treasury.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

Chap 176

An act to establish the minimum price of the University Lands.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Minimum fixed \$10 per acre. SECTION 1. The minimum price of the University lands, shall be, and the same is hereby established at ten dollars per acre, and none of said lands shall be sold for less than said minimum price.

To be lowest. SEC. 2. The said minimum price of ten dollars per acre, is hereby established as the lowest appraised value of the University lands, and no further appraisement shall be necessary.

Commissioners to offer lands for sale. SEC. 3. It shall be the duty of the commissioners for the sale of the school and university lands to offer said university lands for sale in connection with the school lands, subject to the provisions of the law, chapter twenty-four, title eight, Revised Statutes, authorizing the sale of the school and university lands, so far as the same are not inconsistent with this act.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 177 An act to authorize the laying out of a road from Washington county to Fond du Lac.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Commissioners. SECTION 1. W. R. Longstreet, J. H. Haight and J. S. Farrar, are hereby appointed commissioners to lay out a road from town thirteen, range nineteen, or that vicinity, to any point in the county of Fond du Lac.

Compensation. SEC. 2. Said commissioners shall not be entitled to any compensation from the state for services as said commissioners.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 178 An act to incorporate the Swan Lake and Pardeeville Canal Company.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Corporation. SECTION 1. J. C. Fairchild, Simeon Mills, J. S. Pardee, H. West, Jr., and Joseph Utley, together with such other persons as may hereafter become associated with them, their successors and assigns, are hereby created a body corporate, by the name of the

Swan Lake and Pardeeville canal company, and by that name shall be and are hereby made capable in law to purchase, hold, and enjoy and retain to them and their successors, lands, tenements said hereditaments, so far as may be necessary for the purpose of said canal, and the same to grant, sell, rent or in any manner dispose of; to contract and be contracted with; to sue and be sued, implead and be impleaded, answered and be answered, defend and be defended, and also to make, have, and use a common seal, the same to alter, renew or break at their pleasure; and if either of the persons named in this section shall die, refuse or neglect to execute the powers and discharge the duties hereby created, it shall be the duty of the remaining persons hereinbefore named, or a majority of them, to appoint a suitable person or persons to fill such vacancy or vacancies so often as the same shall occur. May have a common seal.

SEC. 2. The said corporation shall be, and they are hereby invested with the right to construct such a canal from some convenient point on Swan Lake to Lake Roberts, and from Lake Roberts to Spring Lake, at or near Pardeeville, all in the county of Columbia. Right to construct canal.

SEC. 3. The capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and each share of stock shall be entitled to one vote. Amount of capital stock.

SEC. 4. The above named persons, or a majority of them, are authorized to open books for subscription to the capital stock of said company: *Provided*, That no subscription shall be made unless one-fourth part thereof shall be paid at the time of such subscription. To open books for subscription to stock.

SEC. 5. So soon as said stock, or two thousand dollars thereof shall be subscribed, the above named persons or a majority of them, may call a meeting of the stockholders for the purpose of electing three directors, and said directors shall elect one of their number president; shall appoint a treasurer, secretary, and such engineers and other officers as they may find it necessary, and fix their compensation. Meeting to elect officers.

SEC. 6. The directors of said company shall have power to make all needful rules and regulations and by-laws touching the business of said company, and determine how said canal shall be made and the width thereof; shall regulate the amount of tolls and the manner of collecting the same; fix penalties for the breach of any such rules, regulations and by-laws and penalties provided for in such by-laws may be sued for by any person authorized thereby in the name of said company, and recover in an action of debt before any court having competent jurisdiction. The by-laws being at all times subject to the revision of the legislature of the state of Wisconsin as also the rates of tolls. Powers and duties of directors.

SEC. 7. The said company shall have the right to enter upon any lands, to survey and make said canal, not exceeding one hundred and fifty feet in width, and whenever any lands shall be required, and the same shall not be given or granted, the aggrieved party may choose an arbitrator and the company an arbitrator, and the two shall choose a third, who shall proceed, under oath, to as- Company may enter upon lands.

ness the damages, and when their award shall be paid or tendered by said company, said company shall have the same right to retain, own, hold and possess said lands, as fully and absolutely as if the same had been granted and conveyed to said company by deed as long as the same shall be used for the purposes of said canal.

Act, how to be construed.

SEC. 8. This act shall in no way effect any rights of individuals on account of mill or other dams that has heretofore been erected, or may be erected, and shall in no way be construed to authorize said company to flow any land other than one hundred and fifty feet wide in said canal, neither shall it be construed so as to authorize the said company to build any dam, or let the water back upon the lands of individuals other than that owned by said company.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 179

An act to pay to Shields and Sneed the amount therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Shields and Sneed.

SECTION 1. There is hereby appropriated to Shields & Sneed the sum of thirty-seven dollars and ninety-seven cents, being in full of their account against the state for articles furnished for the use of the legislature, as per bill rendered by them.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 180

An act to authorize Joseph Bailey and John Marshall to build and maintain a bridge across the Wisconsin River.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Commissioners authorized to build bridge.

SECTION 1. That Joseph Bailey and John Marshall, their associates, successors and assigns, are hereby authorized to erect, build and maintain a bridge across the Wisconsin river, near the mouth of Dell creek, viz : on the south-east quarter of the north-west quarter of section fifteen, town thirteen, range six, and thence across to the opposite side of the Wisconsin river.

Their powers.

SEC. 2. The said Bailey and Marshall and their associates and their executors, administrators and assigns, shall have power so

the term of ten years after the completion of the bridge, to demand and collect toll for passing the same, as follows: For any vehicle drawn by two horses or oxen, twenty five cents, for any vehicle drawn by one horse, fifteen cents, and for each additional horse or ox, five cents; for all animals in droves of less than fifty head, two cents each, and for all over fifty, one cent each: *Provided*, That hogs and sheep shall not be charged more than one cent per head. Rates of toll.
Proviso.

SEC. 3. They shall keep posted up in some conspicuous place on said bridge, a list of the rates of toll allowed by this act.

SEC. 4. Said bridge shall be constructed with a draw of fifty feet, capable of letting steamboats and other water crafts, pass and re-pass through the same without delay, and shall in no manner interrupt the free navigation of said Wisconsin river. To construct
a draw.

SEC. 5. This act may be altered, amended, or repealed by any future legislature of the state of Wisconsin.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to repeal section three of chapter one hundred and thirty-one of the Revised Statutes and for other purposes. Chap 181

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of chapter one hundred and thirty-one of the Revised Statutes, is hereby repealed. Statutes
amended.

SEC. 2. The supreme court are [is] hereby authorized to fix such fees for the services of the clerk of said courts as to the court shall seem proper.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to David Holt, Jr., the sum therein named.

Chap 182

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to David Holt, Jr., D. Holt, Jr. to be paid out of any moneys in the state treasury, not otherwise appropriated, one hundred and ninety-one dollars and nine cents, for postage on pamphlets and newspapers mailed to the several counties in the state, and for postage, stationery and furniture

furnished the secretary of state and superintendent of public instruction.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 183

An act appropriating to Jerome Yates the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

J. Yates.

SECTION 1. There is hereby appropriated to be paid out of any moneys in the treasury not otherwise appropriated, to Jerome Yates the sum of thirty-nine dollars, (\$39) in full for services locating state lands.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 184

An act to appropriate to Robert L. Ream the sum therein named.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

R. L. Ream.

SECTION 1. There is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to Robert L. Ream the sum of five dollars in full for one days service as chief clerk of the assembly.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 185

An act to appropriate to J. R. Brigham a sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

J. R. Brigham:

SECTION 1. The sum of eighteen dollars and fifty cents is hereby appropriated to J. R. Brigham for fees in state suits in the

supreme court, and for services as state canvasser for the year 1849, in full.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to the Rev. Edward Smith the sum therein named. Chap 186

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to the Rev. Edward Smith the sum of fifty dollars, for services as chaplain of the present session of the legislature.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to the Rev. Charles Lord the sum therein named. Chap 187

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to the Rev. Charles Lord fifty dollars, (\$50) for services as chaplain at the last session of the legislature, held in the year 1849.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to provide a block of marble or granite to be placed in the national monument at the city of Washington. Chap 188

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The governor of the state of Wisconsin is hereby appointed agent on behalf of the state, to procure a block of marble or granite to be placed in the national monument at the city of Washington.

SEC. 2. There shall be procured for that purpose, a good specimen of native marble or granite, which shall be dressed to block.

the size required by those employed in the erection of said monument. The governor shall cause to be engraved on the said block of marble or granite as a device, the coat of arms of this state, the name of the state, the date of her admission and the date of this law.

Block to be
forwarded to
E. Whittlesy.

SEC. 3. So soon as said block of marble or granite is completed, he shall ship the same to the Hon. E. Whittlesy, superintendent of said monument, for the purposes aforesaid, with a copy of this act; and there is hereby appropriated out of any money in the treasury, the sum of three hundred dollars as a contingent fund, to pay the expenses incurred in performing the duties assigned in this act; and the governor shall report to the next legislature his doings herein.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 189 An act to authorize Thomas C. Snow and Charles Waldo to construct and maintain a dam across Grand river in Marquette county.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Authorized to
build a dam.

SECTION 1. That Thomas C. Snow and Charles Waldo, their associates, successors, or assigns, are hereby authorized to construct and maintain a dam across Grand river on section number thirteen, (13,) township number fourteen, (14,) of range number eleven, (11,) and section number seven, (7,) in township number fourteen, (14,) of range number twelve east.

Dam how con-
structed.

SEC. 2. The said dam may be constructed thirteen feet in height, the owner or owners thereof becoming responsible for all damage, if any, that may be sustained in consequence of the erection of said dam.

Penalties for
malicious inju-
ry.

SEC. 3. Any person or persons committing any malicious injury [to] said dam now or hereafter to be constructed under the provisions of this act, shall be liable to the owner or owners thereof for the amount of injury done, and all damages sustained may be collected before any court having competent jurisdiction, and in accordance thereto, upon conviction therefor, be punished in the manner provided by law for offences of that nature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

An act to authorize a loan to the University of Wisconsin.

Chap 190

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the commissioners of school and university lands shall loan to the university of Wisconsin an amount not exceeding twenty-five thousand dollars, out of the first moneys received into the treasury from the five per centum of the nett proceeds of the public lands: *Provided*, That the regents of the said university shall apply for the loan thereof. Com. to loan
\$25,000.
Proviso.

SEC. 2. That such sum shall be paid under the order and direction of the board of regents of the university of Wisconsin, and shall draw interest at and after the rate of seven per cent. per annum, payable annually in advance at the office of the state treasury. How to be
paid.

SEC. 3. That such moneys shall be applied by said board of regents to the construction of university buildings, to the payment of liabilities incurred in the purchase of lands for the purposes of said university, and to such other purposes as may be necessary to the advancement of the interest of said university. Moneys how
to be applied.

SEC. 4. It is hereby made the duty of the state treasurer annually for ten years, to credit the school fund with the interest money arising from the investment of the university fund that may come into the treasury until the amount shall be sufficient to pay the interest upon the sum loaned under the provisions of this act, and to pay over the remainder of such interest to the treasurer of the board of regents, and take his receipt therefor. State treasurer
to credit
school funds,
&c.

SEC. 5. After the expiration of ten years, it shall be the duty of the state treasurer annually to credit the school fund, in addition to the interest, ten per cent of the principal of the sum loaned, and retain the same as provided in the preceding section, until the whole amount of the loan authorized by this act shall be paid.

SEC. 6. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to incorporate the Madison and Kenosha Rail Road Company.

Chap 191

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Sereno Fisk, Samuel Hale, John Bullen, Jr., Elijah Steele, Chester W. Martin, Royal B. Touslee, and Edward Bain, together with such other persons as may hereafter become associated with them in manner hereinafter prescribed, their successors and assigns are hereby created a body corporate, by the name of the "Madison, Waterford, and Kenosha rail road company," and by that name shall be, and are hereby made capable Names of cor-
porators.

Their title.

Power to hold property. in law to purchase, hold, and enjoy, and retain to them and their successors, lands, tenements, and hereditaments, so far as may be necessary for the purpose of a rail road; and the same to sell, grant, rent, or in any manner dispose of, to contract and be contracted with, to sue and be sued, implead and be impleaded, answer and be answered, into defend and be defended, and also to make, have, and use a common seal, the same to alter, break, or renew at their pleasure; and if any one or more of the persons named in this section, shall die, refuse, or neglect to execute the powers and discharge the duties hereby created, it shall be the duty of the remaining persons hereinbefore named, or a majority of them, to appoint a suitable person or persons to fill such vacancy or vacancies, so often as the same shall occur.

Power to fill vacancies.

Survey and estimate.

SEC. 2. The said corporation is hereby empowered to cause such examination or surveys to be made, as shall be necessary to ascertain the most advantageous route whereon to construct a rail road, and shall cause an estimate to be made of the probable cost thereof, for each mile separately; and the said corporation shall be and is hereby invested with the right to construct a rail road with one or more railways or tracks, from some convenient point in the city of Kenosha in the county of Kenosha to some convenient point of intersection with any rail road which may be constructed in or through the county of Rock; the company may if they should deem advisable extend the said road southerly from the said city of Kenosha to the state line of the state of Illinois.

Terminals.

Capital stock.

SEC. 3. The capital stock of said corporation shall be eight hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and five dollars on each share shall be paid at the time of subscribing.

Subscriptions for stock when and how taken

SEC. 4. The above named persons, or a majority of them, are authorized to open books for receiving subscriptions to the capital stock of this company, and shall prescribe the form of such subscription; which books shall be opened within two years from the passage of said act, at such place or places as they may deem expedient, by giving thirty days notice in some newspaper printed in the county of Kenosha or Rock of the time and place or the times and places of opening said books; the said books shall be kept open thirty days, and such further time as may be deemed expedient.

Meeting of stockholders how called.

SEC. 5. So soon as said stock, or fifty thousand dollars thereof, shall have been subscribed, the above named persons, or the same number thereof as shall have given such notice, shall give like notice for the meeting of the stockholders at some time at least thirty days thereafter, and at some place within one of the aforesaid counties, and if at such time and place the stockholders of one half or more of said stock subscribed, shall attend either in person or by lawful proxy, they shall proceed to choose from the stockholders, by ballot nine directors, each share of capital the stock entitling the owner to one vote; and at such election, the persons named in the first section of this act, or those appointed according to its pro-

visions, to fill vacancies which may have occurred, or any three of them if no more be present, shall be inspectors of such election, and shall certify in writing, signed by them or a majority of them, what persons are elected directors; and if two or more have an equal number of votes, such inspectors shall determine by lot which of them shall be director or directors to complete the number required, and shall certify the same in like manner; and such inspectors shall appoint the time and place of holding the first meeting of the directors, at which meeting five shall form a board competent to transact all business of the company; and thereafter an election of directors shall be had annually at such time and place as the stockholders at their first meeting shall appoint; and if the stockholders at their first meeting shall fail to appoint the day of such election, then it shall be holden in the succeeding year, on the same day of the same month on which said first election was holden, unless the same be on the first day of the week, in which case it shall be holden on the day next succeeding; and if no election be made on the day appointed, said company shall not be dissolved, but such election may be made at any time appointed by the by-laws of said company; the directors shall elect one of their number president, and shall appoint a secretary, treasurer, such engineers, and other officers, as they may find necessary, shall fix their compensation, and may require adequate security for the performance of their respective trusts.

Election of directors how conducted.

Inspectors to appoint meeting of directors

Succeeding meetings of stockholders.

Officers of board.

Sec. 6. The directors may require payment of the subscriptions to the capital stock at such time and in such proportions, not exceeding twenty-five per cent. at any one installment, under such conditions as they shall deem expedient under the penalty of forfeiture of all previous payment thereon or otherwise: *Provided*, They shall never require the payment to be made at any place out of the counties through which said road shall pass; and such directors shall, at least thirty days previous to the appointed time of such required payment, give notice thereof in the manner provided in the fourth section of this act, for giving notice of the opening of the books of subscription for the stock of said company.

Payment of stock.

Proviso.

Sec. 7. The directors of said company shall have power to make from time to time all needful rules, regulations, and by-laws, touching the business of said company, and to determine the number of tracks and railways upon said road, and the width thereof, and the description of carriages which may be used thereon, to regulate the amount of tolls and the manner of collecting the same for such transportation, and to fix penalties for the breach of any such regulations, or by-laws, and to direct the mode and condition of transferring the stock of said company, and penalties provided for by the said by-laws may be sued for by any person authorized thereby, in the name of said company, and recovered in an action of debt before any court having jurisdiction of the amount, and the said company may erect and maintain such buildings and fixtures as may be necessary for the accommodation of said company and the persons using said road may require.

General powers of directors.

Right to enter upon lands.

SEC. 8. The said company shall have the right to enter upon any lands to survey and lay down said road not exceeding one hundred feet in width, and whenever any lands or materials shall be required for the construction of said road, and the same shall not be given or granted to said company, to determine the compensation to be paid therefor, the person or persons claiming compensation as aforesaid, or if the owner or owners thereof are minors, insane persons or married women, the guardian or guardians of such minor or minors and insane persons, and the husband of such married woman may select for themselves an arbitrator, and the company shall select an arbitrator, and the two thus chosen shall select a third person, all of whom shall be sworn, and shall be paid by said company, and as arbitrators between the parties, shall determine the value of said land or materials and render a copy of their award to each of the parties in writing, from which award either party may appeal to the court of proper jurisdiction for the county in which such land or materials may have been situate, and in all cases in which compensation shall in any manner be claimed for lands where there has been no improvement made, it shall be the duty of the arbitrators and court to award a fair compensation for said lands and materials, and appeals when taken shall be in all respects proceeded in as appeals in other cases in said court, and brought into said court by filing the award with the clerk of said court, whose duty it shall be to enter the same on the docket of said court, setting down the claimant or claimants as plaintiff, and said company as defendant, and when the valuation so ascertained shall be paid or tendered by said company, said company shall have the same right to retain, own, hold, and possess said lands and materials as fully and absolutely as if the same had been granted and conveyed to said company by deed so long as the same shall be used for the purposes of said road.

Damages how determined.

Appeals from arbitrators.

How proceeded in.

Power to cross highways &c.

SEC. 9. The said company may construct the said rail road across any public or private road, highway, stream of water or water course if the same shall be necessary, but the said company shall restore such road, highway, or stream of water to its former state, or construct them across the same in such manner as not materially to impair the usefulness of said road, highway, or water course to the owner or to the public.

MOSES' M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend the law concerning county courts.

Chap 192

THE People of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

SECTION 1. That on each suit commenced, and before filing the papers in appeals or certiorari in the county court, there shall be levied a tax of fifty cents, which shall be paid to the clerk at the commencement thereof, and the tax so levied shall be paid into the county treasury to be applied to the reimbursing of the county for the per diem pay to the county judge.

How suit commenced.

Tax to be levied.

SEC. 2. The law to which this act is amendatory is hereby so amended that the terms of the county courts shall be held as follows: In the county of Racine on the first Monday in February, May, and August, and the second Monday of November in each year.

Terms of court when held.

In the county of Walworth on the first Monday of January, April, and July, and on the second Monday of September in each year.

In the county of Rock on the first Monday in February, May, August, and November in each year.

In the county of Green on the second Monday in January, April, July, and October of each year.

In the county of Milwaukee on the first Monday of each month in the year, except when there is a regular term of the circuit court.

In the county of Waukesha on the fourth Monday in January, April, July, and October of each year.

In the county of Jefferson on the third Monday in January, April, and July, and the first Monday in October of each year.

In the county of Dane on the first Monday in January, April, and July, and on the last Monday in September of each year.

In the county of Washington on the first Monday in January, April, July, and October of each year.

In the county of Dodge on the first Monday in January, April, July, and October of each year.

In the county of Columbia on the first Monday in February, May, August, and November of each year.

In the county of Marquette on the second Monday of January, April, July, and October of each year.

In the county of Sauk on the last Monday of January, April, July, and October of each year.

In the county of Portage on the first Monday of January, April, July, and October of each year.

In the county of Sheboygan on the first Monday in January, April, July, and October of each year.

In the county of Manitowoc on the first Monday in February, May, August, and November of each year.

In the county of Brown on the first Monday in January, on the second Monday in April, on the first Monday in July, and on the fourth Monday in October of each year.

In the county of Winnebago on the first Monday in January, April, July, and October of each year.

In the county of Fond du Lac on the first Monday in February, May, August, and November of each year.

In the county of Grant on the first Monday of January, April, July, and November of each year.

In the county of La Fayette on the second Monday in January, April, July, and October of each year.

In the county of Iowa on the first Monday in February, May, and August, and on the third Monday in November of each year.

In the county of Crawford on the second Monday in February, on the first Monday in June, on the second Monday of August, and on the first Monday of November of each year.

In the county of St. Croix on the first Monday of January, April, July, and October of each year.

In the county of Richland on the last Monday in March, on the third Monday in June, on the second Monday in November, and on the third Monday of December of each year.

In the county of Calumet on the third Monday of January, April, July, and October of each year.

In all counties not herein enumerated in which courts shall be held, the terms of the county court shall commence on the first Monday of January, April, July, and October.

Ja y fee.

SEC. 3. The jury fee to be deposited with the judge upon demanding a jury shall be three dollars.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 193

An act limiting the writ of error.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

*Judgement,
how reversed.*

SECTION 1. No judgment in any case whatever shall be reversed, or arrested for any error or defect therein, unless the writ of error therein be sued out within four years next after the rendition of such judgment.

*Who entitled
to writ.*

SEC. 2. If any person or persons against whom a judgment shall be rendered, shall be, at the time of the rendition thereof, either within the age of 21 years, or insane, or imprisoned, on any criminal charge, the sentence whereof is for less than life, or a married woman, or without the limits of the United States, such person or persons shall be entitled to a writ of error on any such judgment against him, her, or them, at any time within two years after the disability ceases: *Provided*, The whole limitation in such cases shall not exceed twelve years.

Proviso.

SEC. 3. All laws contravening the provisions of this act are hereby repealed.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appoint commissioners to lay out a state road.

Chap 194

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. That David Brewer, Daniel T. Clay, and Edward Norris, be, and they are hereby appointed commissioners to lay out a state road from Adams in Sauk county to the Dells on the Wisconsin river on the nearest and most feasible route.

SEC. 2. The state shall not be liable for any expense for laying out said road.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL

Lt. Governor, and Pres't of the Senate.

Approved February 9, 1850.

NELSON DEWEY,

An act for an act to provide for disposing of the interest of the state in the Milwaukee and Rook River canal company, and in the canal and hydraulic power created on Milwaukee river.

Chap 195

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The interest of this state in the canal dam across Milwaukee river, and hydraulic power, with their appurtenances, created by the state or by the Milwaukee and Rock river canal company, or by both on or near said river, and also the interest of this state in the said company or its stock, shall be sold under the directions of the governor of this state at public auction, to the highest and best bidder at such time and place, and upon such terms of payment as the governor shall direct, giving at least two months public notice thereof, and in case the highest and best bidder, shall not comply with the terms of sale under his bid, within such time as shall be limited, the governor is authorized to accept of the next highest bid that will be so complied with, or to re-sell the same as shall to him seem most for the interest of the state: *Provided*, That he may refuse to accept any such bid in case he shall be of opinion that the price offered is too small.

SEC. 2. Upon the completion of any such sale, the governor is hereby authorized to execute to the purchaser in the name and

ecute an assignment to purchaser.

under the seal of this state a deed, assignment or release transferring to such purchaser all the interest of the state in said canal, dam, hydraulic power company and its stock, be the same more or less, without any agreements or covenants of warranty of title, interest or right therein on the part of the state, and without any claim hereafter on the state to refund or release the consideration, money, or any part thereof, paid or to be paid, in case it should be in any manner determined that the state had no interest or right therein.

Grantee or grantees vested with powers, &c.

SEC. 3. Upon the execution and delivery of such deed, assignment, or release, the grantee or grantees of the state therein, their legal representatives or assigns are hereby vested with all the rights and interest of the state in the said canal, dam, hydraulic power, company and its stock, to have and to hold the same to their use and behoof forever; and they are hereby authorized and empowered at their own proper costs and charges to institute in their own name or names, or in the name of this state any suit or suits or other legal proceedings against the said company, or any other person or persons or body corporate, in any of the courts of this state, and to prosecute the same to final determination, necessary to ascertain and determine the extent of such rights and interest, and to obtain and recover possession of the same from such company or other person or persons or body corporate: *Provided*, This state shall not pay or be responsible for any costs and charges growing out of such suit or suits or legal proceedings, either on the part of the prosecution or defence.

Proviso.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 196 An act to amend an act entitled "an act to incorporate the Neenah and Manitowoc plank road company, Approved March 9th, 1848.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Authorized to open books &c

SECTION 1. The board of commissioners under the act of which this act is amendatory, are hereby authorized to open separate books of subscription of stock for the construction of the branch road authorized by said act, and when five hundred shares shall have been subscribed, and one dollar on each share paid in, the stockholders shall be authorized to organize a separate company under the name of the Menasha and Kaukana plank road company, and said company shall possess the same powers and privileges and be subject to the same restrictions and liabilities as

are conferred and imposed on the company under the act of which this is amendatory.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to authorize the laying out of a state road.

Chap 197

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION 1. That John Rorck, Philip B Slaymates, and David C. Reed, are hereby appointed commissioners to lay out and establish a state road on the most direct and practicable route from Prairie du Sauk to Reedsburgh in Sauk county. Commissioners' appointed.

SEC. 2. The commissioners appointed under the provisions of this act, shall upon the performance of the work be entitled to such compensation for their services as the supervisors of the counties where such services are performed shall allow, to be paid out of the county treasury of the said counties respectively, and no part of the expense shall be paid out of the state treasury. Compensation.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to secure the homestead to Orphans.

Chap 198

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. Such real estate as is now exempt from forced sale on execution or any other final process from a court, as the homestead of a family, shall likewise after the death of the owner thereof, be exempt from the payment of his debts hereafter contracted, in all cases in which any infant children of the said owner shall survive the death of such owner, and no executor or administrator shall have a right to the possession of any real estate so exempted, or to the rents or profits of the same, any law of this state to the contrary notwithstanding. Real estate of orphan exempt, &c.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 199 An act to provide for office expenses of the superintendent of public instruction.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Appropriation
to state super-
intendent.

SECTION 1. The sum of four hundred and twenty-seven dollars and seventy-seven cents, is hereby appropriated to pay office rents, clerk hire, and other contingent expenses of the office of the state superintendent as the same are stated in his account filed with the secretary of state, which sum shall be paid out of the state treasury.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 200

An act defining certain duties of the state superintendent.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Superintend-
ent to collect
books, & c.

SECTION 1. It shall be the duty of the state superintendent to collect in his office, such school books, apparatus, maps, and charts as can be obtained without expense to the state, and also to purchase at an expense not exceeding fifty dollars a year, rare and valuable works on education, for the benefit of teachers, authors, and others, who may wish to consult them.

To procure
map

SEC. 2. It shall be the duty of the state superintendent to cause to be prepared in his office a full and complete map of the state: *Provided*, That the expense of the same shall not exceed one hundred dollars.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 201

An act to incorporate the Sheboygan and Mayville Plank Road Company.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Commissioner's
appointed.

SECTION 1. That Huntington Lyman, Samuel B. Ormsbee, A. G. Dye, Reed C. Brazleton, Anson Hutchinson, John Muzzey, Alvin Foster, Joseph Mallory, S. G. Pickett, be, and are hereby appointed commissioners, under the direction of a majority of whom, subscriptions may be received to the capital stock of the Sheboygan and Mayville plank road company hereby incorporated, and they may cause books to be opened at such times and places

as they shall direct for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days notice of the times and places of taking such subscriptions, by publishing the same in one or more newspapers printed in Sheboygan county.

Sec. 2. The capital stock of said company shall be one hundred thousand dollars, in shares of twenty dollars each, and as soon as five hundred shares of the capital stock shall be subscribed, and ten per cent on each share actually paid in, the subscribers of such stock, with such other persons as shall associate with them for that purpose, their successors and assigns, shall be, and they are hereby created and declared a body corporate and politic by the name and style of the Sheboygan and Mayville plank road company, with perpetual succession, and by that name shall be capable in law of purchasing, holding, selling, leasing and conveying estate, real and personal, or mixed, and in their corporate name may sue and be sued, may have a common seal, which they may alter or renew at pleasure, and generally may do all and singular the matters and things which are authorized by law for the interest and well being of said company.

Sec. 3. The said commissioners, or a majority of them, after the said five hundred shares of stock shall have been subscribed, as aforesaid, shall give at least twenty days notice in the newspapers hereinbefore mentioned, of the time and place of a meeting of the stockholders for the purpose of electing nine directors, and annually thereafter the stockholders shall meet on the first Monday in January for the purpose of electing directors, as aforesaid, upon a like previous notice to be given by a majority of the directors for the time being, in such newspapers as they may think proper: *Provided*, That previous to the first election the commissioners hereinbefore named shall elect one of their number president, and they shall perform all the duties and be invested with all the power of directors: *Provided further*, That if from any cause an election shall not be held at their regular time specified therefor, the same may be held at any other time on notice as aforesaid, that until such election the directors of the preceding year shall continue to act, and this charter shall not be avoided by reason of any irregularities or want of such election, and in case of any vacancy in the board of directors, the same shall be filled by the other directors or a majority of them.

Sec. 4. The affairs of said company shall be managed by a board of nine directors, who shall be stockholders and be chosen annually by ballot by the stockholders of said company, the votes to be given in person or by proxy duly authorized, which directors shall appoint one of their number president, and shall serve until others are elected in their stead; they shall make and establish such by-laws, rules, orders and regulations as may be necessary for the well ordering of the affairs of said company. Each share of stock shall be entitled to one vote, and in all cases of elections for directors the nine stockholders having the greatest number of votes shall be declared duly elected.

Sec. 5. Five directors shall be a quorum for the transaction

a quorum to of business, who in the absence of the president may appoint a president, pro tempore. The said directors shall appoint a secretary, treasurer and such engineer and other officers as they may find necessary; shall fix their compensation, and may demand adequate security for the performance of their respective trusts; they shall [have] full power to decide the time and manner in which the said stockholders shall pay the money due on their respective shares; may declare forfeited to the use of the company the share or shares of any person failing to pay any instalment, at a reasonable period, not less than thirty days after the time appointed for the payment thereof: *Provided*, No instalment shall be demanded of the shareholder exceeding two dollars at any one time on such share, nor while a sum exceeding three thousand dollars remains in the hands of the treasurer, unappropriated to such portion of the work as may at the time be completed.—

Proviso.

Powers of directors.

Commissioners to issue certificates.

They shall have power to regulate tolls; to make such covenants, contracts and agreements with any person or persons or body politic, whatever, as the execution and management of the works and the convenience and interests of the company may require, and in general to superintend and direct all the operations, receipts, disbursements and other proceedings of the company. The commissioners until the directors are chosen, shall issue certificates to each stockholder for the number of shares he or she shall subscribe for, or hold in said corporation, signed by the president and countersigned by the secretary, subject to all the payments due and to become due thereon, which shall be transferable in person, or by attorney, executors, administrators, guardians or trustees, under such regulations as may be provided by the by-laws of said company.

Power to locate road.

Materials to be used.

Duty of directors.

SEC. 6. The said company shall have power to locate and construct a single or a double track plank road from some eligible point in the town of Sheboygan or Sheboygan Falls through the village of Cascade to the village of Mayville, in Dodge county, and they shall have power to erect all such toll houses, bridges and other works and appendages as may be necessary for the convenience of said company in the use of said road, and also to connect the said road with other plank roads in the state of Wisconsin and to unite and consolidate stock with any such plank road company. The track of said road shall be constructed of plank, stone, gravel or charcoal, in whole or in part at the option of the directors, so that the same shall constitute a firm and smooth surface for the passage of wagons and carriages. The directors shall exercise all power conferred on them by law; shall audit and pay all accounts against said company; fix the compensation and salary of the officers they may appoint, and meet at such times and places as they may prescribe in the by-laws to be enacted by them. They may appoint and remove all officers at pleasure; prescribe the meeting of the stockholders, and declare and pay the dividends, or so much of the surplus profits of the company as they shall deem advisable, which may accrue on the shares of said

stock to the stockholders of said company, on the first Monday of July and January in each year.

Sec. 7. It shall and may be lawful for said company their officers, engineers and agents, to enter upon any lands for the purpose or exploring, surveying and locating the route of said plank road, doing thereto no unnecessary damage; and when said route shall be determined by the said company, it shall be lawful for them, their agents, officers, engineers, contractors and servants, at any time, to enter upon, take possession of, and use such lands, not exceeding four rods in width, along the line of said route, subject, however, to the payment of such compensation as the company may have agreed to pay therefor, or as will be ascertained in the manner hereinafter directed: *Provided*, That in such places as may be necessary for the company to obtain gravel or stone, or to make excavations and embankments for the construction of said road, the company may locate the route of said road, not to exceed six rods in width, and they may also cut down such trees on each side of said road as may endanger said road by falling or otherwise.

Lawful to enter upon lands to survey route

Proviso.

Sec. 8. When said corporation cannot agree with the owner or owners of any land, gravel, stone, or other material required for the construction of said road, for the purchase thereof, or for the compensation to be paid therefor, or when by reason of the absence or legal incapacity of the owner or owners, no such agreement or purchase can be made, then and in any such case, it shall be lawful for any justice of the peace of the town in which the property may lie, to issue a warrant, directed to the sheriff or any constable of said county, not directly interested, requiring him to summon a jury of nine freeholders of said county, not interested in said property, to meet the said justice at some convenient place, at or near the property to be valued, on a day in said warrant named, not less than five nor more than ten days from the date of said warrant; and if at the time and place named, any of the persons so summoned do not attend, the said sheriff or constable shall immediately summon as many as may be necessary, with the persons in attendance as jurors, to furnish a pannel of nine jurors and from them the said company and the owner or owners of the property to be valued, their agent or attorney or either of them, and if they are not present in person or by attorney, the sheriff or constable, shall for him, her or them, strike off each two of said jurors, and the said five shall act as a jury of inquest of damages. Before they act as such, the said justice of the peace shall administer to each of them an oath or affirmation, that they will faithfully and impartially value the land or material required for such road and all damages which the owner or owners shall sustain by reason of the construction of said road, taking into consideration the advantages the same will be to the owner or owners according to the best of his skill and judgment, whereupon the said justice and jurors shall proceed to review the said lands or materials so required, and to hear the evidence of the respective parties, which the said justice shall reduce to writing, which

In case of disagreement as to damages, how to proceed

shall be signed by the said justice, and the verdict of the jurors thereon, shall be signed by the jurors or a majority of them and by the justice of the peace, and the said justice shall within five days thereafter, transmit the same to the clerk of the circuit court of the proper county, who shall file the same. Such inquisition shall describe the property taken or to be taken, or the boundaries of the land in question, and the value thereof, as aforesaid, and such valuation, when paid, together with the costs of such inquisition or tendered to the owner or owners, or deposited with the said court, it shall entitle the said company to the estate and interest in the same thus valued, as if it had been conveyed by the owner or owners thereof, so long as the land thus valued and taken shall be used for the track of said plank road: *Provided*, That it shall not be lawful for any justice and jury of inquest to proceed in the valuation of any such property or material, in the absence of the owner or owners thereof, his, her or their legal representatives, unless it be made to appear by affidavit that such owner or owners have had at least five days notice of the time and place of the meeting for the purpose of making such valuation, or unless it shall in like manner be shown that such owner or owners are under age, or non-compos mentis. Such service of notice may be made upon the guardian or trustee, under the same restrictions as in case of owners, or if there be no guardian or trustee, the same shall be established by affidavit: *Provided*, That no such material shall be taken if the jury shall decide that the same are essential to the owner or owners thereof.

Proviso.

Proviso.

Stock to be personal property and liable for debts.

SEC. 9. The shares of stock of the corporation shall be deemed personal property, and every person becoming a shareholder by transfer, purchase or otherwise, of shares of said stock, shall succeed to all the rights and liabilities of the prior holder of said share or shares, and the shares shall be liable to be taken in execution for the payment of the debts of the owner in such manner as is or may be provided by law. Whenever the route of said road follows the line of any public highway the said company shall not take possession of said highway until the commissioners of highways for the town through which it passes shall have given them written consent, which shall be recorded in the town clerk's office.

Rates of toll.

SEC. 10. The directors may erect toll gates and exact toll from persons traveling on their road, whenever five consecutive miles are finished, or when the whole road is completed, not exceeding two cents a mile for every vehicle, sleigh, sled, or carriage, drawn by two animals, and if drawn by more than two animals, one cent a mile for every additional animal; for every vehicle, sled, sleigh or carriage drawn by one animal, one cent a mile, and for every horse and rider or led animal, one cent a mile; for every score of sheep or swine, one cent a mile, and for every score of neat cattle, four cents per mile: *Provided*, That persons going to and from military parade, at which they are required by law to attend, and persons going to or returning from funerals, shall be exempt from toll. The toll gatherer at each and every gate, when erected on said road in pursuance of this act, may detain and pre-

Proviso.

vent from passing such gate any carriage or animal subject to toll until the toll thereon is paid.

SEC. 11. If any person shall wilfully and knowingly break, or injure or destroy the plank road to be constructed by said company, or any part thereof, or any work, building or fixture attached to or in use upon the same, belonging to said company; such person or persons so offending shall each of them for every such offence, be liable to a civil suit for the recovery of damages by said company by an action of trespass, in any court having competent jurisdiction in the counties wherein the offence shall have been committed, and shall also be subject to indictment, and upon conviction shall be punished by fine and imprisonment, or either, at the discretion of the court. Punishment for malicious injury.

SEC. 12. Any person who shall wilfully break or throw down any gate on such road which may have been erected in pursuance of this act, or do any damage to said road or forcibly or fraudulently pass any such gate without having paid the legal toll, or to avoid the payment of the legal toll, shall with his team, carriage or animal turn out of said road or pass any gate thereon on ground adjacent thereto, and again return on said road, shall for each offence forfeit a sum not exceeding ten dollars, to and for the use of said company, and also for all damages done to the profits of said company in an action of trespass. Penalty for attempting to avoid paying toll.

SEC. 13. The directors of said company at any annual or special meeting of the stockholders, with the consent of a majority in amount of such stockholders, may provide for such increase of the capital stock as may be found necessary to complete said road in such sections as may have been actually commenced but remain in an unfinished state for want of means for completing the same. Directors may provide for increasing capital stock.

SEC. 14. If said company shall violate any of the privileges hereby granted, the legislature of the State of Wisconsin may resume all and singular the rights and privileges vested in said company by this act. Penalty for violating charter.

SEC. 15. If said corporation shall not within three years from the passage of this act, commence the construction of said plank road and expend three thousand dollars or more thereon, and shall not within ten years from the passage of this act, construct, finish and put into operation a single or double track of plank road, from Sheboygan or Sheboygan Falls, to the village of Mayville, then the rights, privileges and powers of the said corporation under this act shall be null and void.

SEC. 16. This act shall be favorably construed to effect the purpose thereby intended, and the same is hereby declared to be a public act, and copies thereof printed by authority of the state, shall be received as evidence thereof. How charter rendered void.

SEC. 17. This act may be altered or amended by any future legislature of this state.

MOSES M. STRONG,
Speaker of the Assembly.
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Chap 202

An act to appropriate to Robinson & Brother the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Robinson and
Brother.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Robinson & Brother the sum of thirteen dollars, in full for publishing militia order in the Green Bay Democrat [Advocate] for the years 1846, 1847, 1848 and 1849; also the further sum of fourteen dollars and fifty cents, in full for two hundred and fifty copies of Green Bay Democrat [Advocate] furnished the members of the legislature in 1848, and fifty copies furnished the members of the present legislature.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap. 203

An act to appropriate to Seaver & Hurley the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Seaver & Hur-
ley.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Seaver & Hurley the sum of twenty-six dollars, in full for the Daily and Weekly Commercial Advertiser furnished the members of the legislature at its present session.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 204

An act to appropriate to John A. Brown the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

J. A. Brown.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to John A. Brown the sum of eight dollars and seventy-five cents for advertising proposals for printing in the Rock County Badger, in the year 1849; also the further sum of ten dollars and seventy-five cents for publishing proclamation for an election for electors for president and vice president, in the Washington County Eagle in the year 1848; also the further sum of eight dollars and seventy-

Five cents for one hundred and seventy-five copies of the Washington County Eagle furnished members of the legislators.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Beriah Brown the sum therein named.

Chap 205

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of Beriah Brown any money in the treasury not otherwise appropriated, to Beriah Brown the sum of two hundred and sixty four dollars and ninety cents, in full for four thousand four hundred and fifteen copies of the Wisconsin Democrat, furnished the senate and assembly at their present session; and also the sum of twenty dollars for printing the speech of the Hon. E. Devin from Washington.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL;

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to George Hyer the sum therein named.

Chap 206

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of George Hyer any monies in the treasury not otherwise appropriated, to George Hyer the sum of twenty-three dollars and forty-four cents, in full for three hundred and seventy-five papers furnished the members of the present legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to J. A. Hadley the sum therein named.

Chap 207

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of J. A. Hadley

any money in the treasury not otherwise appropriated to J. A. Hadley the sum of twenty dollars, in full for four hundred copies of the Watertown Chronicle furnished members of the present legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 208 An act to appropriate to A. D. & J. LaDue the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

A. D. & J. La Due. SECTION 1. There is hereby appropriated to A. D. & J. La Due the sum of seven dollars and fifty cents out of any money in the treasury not otherwise appropriated in full for one hundred and fifty copies of the Sheboygan Democrat furnished the members of the present session of the legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 209 An act to appropriate to C. C. Clement the sum therein named.

The People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

C. C. Clement SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to C. C. Clement the sum of four dollars and fifty cents, in full for ninety copies of the Southport Telegraph furnished the members of the present legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act for apportionment of school moneys for 1850.

Chap 210

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. It shall be the duty of the town superintendent of the several towns of this state, between the first Monday in April and the first Monday in May next, to apportion the school moneys received from the town and county treasurers, to the several districts and parts of districts within their respective towns, in proportion to the number of children residing in each, over the age of four and under the age of twenty years.

Town superintendent to apportion school monies.

SEC. 2. The number of children residing in the several school districts and parts of districts, between the ages of four and twenty years, shall be ascertained by the clerks of the several school districts and parts of districts, and reported to the superintendents of the towns in which such districts or parts of districts are situated respectively, on or before the first day of April next.

Clerk to report to superintendent.

SEC. 3. No moneys shall be apportioned to any district or part of district unless it shall appear by the certificate of the clerk of such district or part of district, that a school has been taught therein, by a qualified teacher, at least three months within the year ending on the first day of April next.

Monies when to be apportioned.

SEC. 4. This act shall take effect on the second Monday of February eighteen hundred and fifty, and shall continue in force till the first Monday of May next thereafter, and no longer.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY,

An act to authorize the register of deeds of Marquette county to obtain from the office of the register of Brown county certain instruments therein named.

Chap 211

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The register of deeds of Marquette county is hereby authorized to procure from the office of the register of deeds of Brown county, a copy of all deeds, mortgages, assignments, satisfactions, bonds, and other instruments that are recorded in said office, wherein the county of Marquette may be interested, the expense of which shall be paid by the county of Marquette.

Register to procure certain records.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 212 An act to appropriate to the Rev. John Williams the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

J hn Williams SECTION. 1. There is hereby appropriated to the Rev. John Williams the sum of fifty dollars for services as chaplain the present session of the legislature.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 213

An act for the relief of Wiram Knowlton.

THE People of the State of Wisconsin represented in Senate and Assembly; do enact as follows:

Wiram Knowlton. SECTION 1. The sum of twelve hundred and fifty dollars is hereby appropriated to Wiram Knowlton out of the treasury of the state of Wisconsin.

Knowlton to execute receipt to treasurer. SEC. 2. The said Wiram Knowlton upon the payment of the said sum, shall execute a receipt to the treasurer of the state in full of all demands against the state for viewing, marking, surveying, and making a road from section thirty-six, in range four, (4,) west, township fifteen, (15,) north, in the county of Crawford, thence through the counties of Crawford, Chippewa, and St. Croix to Willow river on lake St. Croix, being a distance of one hundred and sixty three miles as by the survey thereof made; and said road is hereby declared to be a state road, the survey and location thereof lying through state lands, selected for and appropriated to school purposes: *Provided,* That E. R. Steves and H. Wedge the other commissioners of said road who have performed no service in surveying and locating the same, shall never be allowed any compensation from the state treasury as such commissioners.

Proviso.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 214 An act to amend an act entitled an act to authorize the construction of a dam across Rock river, approved February 21, 1843.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The proviso to section one of said act is hereby repealed.

SEC. 2. The following proviso is hereby substituted for said Proviso, and declared a part of said section one: *Provided*, That in the event that such dam shall cause the water to flow back on any lands not owned by them, or either of them, then they shall pay to the owner or owners thereof such sum as such land may be reasonably worth, such value to be ascertained by the verdict of jury in an action of trespass to be brought in any court of record.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to authorize the secretary of state to procure certain maps.

Chap 215

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the secretary of state is hereby authorized to procure four large manuscript sectional maps of the state of Wisconsin, one each for the offices of the governor and secretary of state, and one for each of the halls of the senate and assembly, to be made on good paper, attached to canvass, ready for hanging up, and on the same scale as the map now hanging in the secretary's office, said map to contain the latest reported government surveys up to the first of October next, containing the boundaries of judicial, congressional, senatorial, and assembly districts; also the boundaries of all towns organized, as well as geographical towns, and the location of county, towns, cities, villages, post offices, school, university, and state lands.

Secretary of State to procure maps.

SEC. 2. Said maps to be completed by the first of January next, and for such price as the next legislature may see proper to pay for the same: *Provided*, The price shall not exceed one hundred dollars for each map.

When to be completed.

Proviso.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act authorizing the town of Beloit, county of Rock, to raise a loan for the purpose of building a town house, and to occupy the public landing for the site of said house.

Chap 216

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The town of Beloit, county of Rock, is hereby authorized to raise a loan sufficient in amount to erect a building

Authorize erect a to house.

for town purposes, and to levy a tax from year to year to pay the principal and interest.

SEC. 2. Said town is hereby authorized to erect said building on the public landing north of the east end of the bridge across Rock river in said town.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 217

An act relating to the laying out and opening of state roads.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

State not liable for laying out state roads.

SECTION 1. The state shall not be liable for any expenses incurred in or damages arising from the laying out of any state road heretofore authorized by law to be laid out, and which has not been laid out, or which may hereafter be authorized, unless the law providing for the laying out of such road shall expressly provide that the state shall pay such expenses and damages.

Compensation.

SEC. 2. All commissioners appointed by any law of this state to lay out a state road shall receive such compensation for their services as may be allowed them by the boards of supervisors of the several counties in which such road may be located, the same to be paid out of the treasury of such county.

Damages to be paid by counties.

SEC. 3. All damages occasioned by the laying out and opening any state road shall be paid by the several counties in which the same may be located.

This act not to apply to every road.

SEC. 4. The provisions of this act shall not apply to the roads authorized to be laid out by the present legislature, to wit: a state road from Green Bay in Brown county to Wausau in Portage county, and a road from Shaurette in Portage county to Green Bay in Brown county.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY. 6

Chap 218

An act to incorporate the Wisconsin Institute for the education of the blind.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Trustees.

SECTION 1. That A. Hyatt Smith, Hiram Foot, Ira Miltimore, Levi Alden, Jairus C. Fairchild, [and] William A. Barstow, are hereby constituted a body politic and corporate, by the name of

the Wisconsin Institution for the Education of the Blind, and by that name they and their successors shall have successive and perpetual existence, with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to make and use a common seal, and alter the same at pleasure, to take or receive by grant, deed, devise, bequest, or otherwise, property real, personal, and mixed, and have, hold, use, enjoy, and convey the same; to adopt by-laws not inconsistent with the constitution and laws of the state; and to do all other acts necessary to the exercise of the powers herein conferred.

Powers of corporation.

SEC. 2. The object and duty of the corporation shall be to continue and maintain the school for the education of the blind, established in Janesville, and to qualify, as far as may be, that unfortunate class of persons for the enjoyment of the blessings of a free government, obtaining the means of subsistence, and the discharge of those duties, social, and political, devolving upon American citizens.

Object of corporation.

SEC. 3. The school shall be continued in or near Janesville, and the corporation shall, as early as practicable, purchase a suitable lot of ground containing not less than ten acres nor more than twenty acres, and proceed to erect thereon suitable buildings and make such improvements as are necessary for the school.

School, where to be held, &c.

SEC. 4. The persons named in the first section of this act, and their successors, shall be the trustees of the school, to whom power is given to employ a principal and all teachers, prescribe their duties, fix their compensation and the price of instruction, prescribe the course of study, fix the price of board, and all other expenses in the school, and to employ all persons necessary to the maintenance and to carry on the operations of the school.

Duties of trustees.

SEC. 5. All blind persons residing in Wisconsin, of suitable age and capacity to receive instructions, shall be received and taught in the said school, and no one of such persons shall be excluded from the privilege and benefits thereof by reason of the reception of persons from other states or territories.

Who to be received in said school.

SEC. 6. The trustees for the time being shall be severally liable for the faithful application of all property, funds, and effects which may be received for the use of the institution; and property, funds, and effects received by gift, grant, donation, devise, or bequest, shall be applied as directed by the person from whom received.

Trustees liable for funds, &c.

SEC. 7. The officers of the corporation shall be a president, secretary, and treasurer, who shall be appointed by the board of trustees, the president to be selected from their own number, the trustees to serve without compensation.

Officers of corporation.

SEC. 8. The trustees in the first section of this act named, shall serve as follows, to wit: two shall serve for the term of one year, two for the term of two years, and two for the term of three years, and until their successors are appointed and qualified.—The trustees shall meet within thirty days after the publication of this act, and organize and determine by lot the two that shall serve one year, the two that shall serve two years, and the two

Term of trustees, &c.

that shall serve three years. The governor shall appoint their successors, whose term of office shall commence on the first day of February, and continue for three years, and until their successors are appointed and qualified.

Officers of school.

SEC. 9. The officers of the school shall be a principal, who shall have the general charge of the school, and such teachers as may from time to time be appointed. The academic and literary degrees usually conferred by institutions for the education of the blind, shall be conferred by this institution, and diplomas granted accordingly.

Terms of tuition.

SEC. 10. Blind persons who may be placed in this school by or under the authority of the state, or any county, city, town, or other public corporation, shall be kept, taught, and permitted to enjoy, all the benefits and privileges of the school, be furnished with books, boarding, lodging, washing, fuel, and allowed the use of the library, at not exceeding one hundred dollars for the academic year of forty-two weeks. The provisions of this section shall apply only to scholars sent from other states or territories.

SEC. 11. The blind of this state, who are of suitable age and capacity, shall be received and taught in the school, and enjoy all the benefits and privileges of the same free of charge.

To levy tax to support school.

SEC. 12. To aid in the establishment of the school, there shall be paid to the said trustees, for the use of the institution, a tax of one-fifteenth of one mill upon every dollar's worth of taxable property in this state, subject to taxation for state revenue, which tax shall be assessed and collected with the taxes assessed and collected for the ordinary purposes of the government for the present year.

Treasurer of corporation.
His duties.

SEC. 13. The treasurer of state shall receive the tax collected for the institution and keep the same as a separate fund, to be known as the fund for the blind, and pay out the same, from time to time, in such amounts as may be necessary in the judgment of the board of trustees, in conducting the business of the institution. The treasurer shall pay out the money on the allowance of the governor, who shall make such allowance, on the application of the board of trustees.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY. •

An act to amend an act entitled "an act to incorporate the Madison and Beloit Rail Road Company." Chap 219

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The said company may extend their road from Company may
Janesville to lake Winnebago, by the way of Fort Atkinson, Jef- extend road.
erson, and Watertown.

SEC. 2. For the purpose of such extension the said company May increase
may add ten thousand shares of one hundred dollars each to its capital stock.
capital stock.

SEC. 3. This act shall take effect so soon as said company by Act when to
resolution adopted at a meeting of its board of directors shall as- take effect-
sent thereto, and from and a^{er} such time, such company shall be
known as the "Rock River^l Valley Union Rail Road Company."

SEC. 4. The said company, whenever it shall deem the same May divide
expedient, may divide any portion of the capital stock of the com- capital stock.
pany into shares of twenty-five dollars each, and every member
of the said company shall be entitled to one vote therein, for eve-
ry twenty-five dollars of stock which he may own.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend an act entitled "an act to divide the county of Racine and Chap 220
to erect the county of Kenosha."

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The supervisors of the county of Kenosha are Supervisors to
hereby authorized and empowered to procure a copy of the procure rec-
ords of Racine county relating to the titles of all lands situate orda.
within the limits of said county of Kenosha, as they now or may
appear in the registers office in said county of Racine. The copy
so entered in the registers office of Kenosha county shall be of
the like force and effect as if originally entered of record in said
county, and a duly authenticated copy thereof by the register of
Kenosha county shall have like force and effect, and be admitted
in all courts as evidence, the same as though the certificate were
from the Racine county registers office.

SEC. 2. All judgments entered up to and inclusive of the Judgment to
next April term of the Racine county circuit court, in the records be a lien upon
of said court, and all judgments entered up in the county court of land.
said Racine county, to and inclusive of the next March term of
said court, shall be and remain a lien upon any lands which may
be owned by the person or persons against whom such judgments
were rendered the same as though no division of said county had

taken place; and the clerk of said courts shall issue his execution to the sheriff of Kenosha county, directing said sheriff in default of goods and chattels to make the said sum with costs, &c., out of any land or tenements which the said debtor was possessed of at any time after the rendition of such judgment.

State treasurer to give notice.

SEC. 3. It shall be the duty of the treasurer of the state of Wisconsin to certify to the secretary of state the time of filing the bond as provided in the act to divide the county of Racine and the erection of the county of Kenosha, if filed by the time therein specified. The secretary of state shall upon the receipt of such certificate immediately give notice to the sheriff of the county of Racine, specifying what officers are to be elected at the April town elections for the county of Kenosha. Upon the receipt of such notice, the sheriff shall cause to be printed in three or more public places in each organized town in said county of Kenosha, a notice specifying the officers to be elected for said county, for which service he shall be paid by the county of Kenosha. The election shall be conducted in all respects at the polls as is provided by law for general elections, and the returns shall be made to the sheriff of Racine county, at Kenosha within six days after such election in the same manner that returns are directed to be made to the county board of canvassers. On the Tuesday next following the election the sheriff of the county of Racine shall take to his assistance two justices of the peace, residents in the county of Kenosha, who shall be a board of canvassers, and shall proceed to canvass the votes cast at such election for county officers in the same manner as is provided for by law for other boards of canvassers. Said board of canvassers shall immediately publish in some newspaper in said county, the result of such election, and give a certificate of election to the persons elected, and shall as soon as the county board of supervisors shall be organized and a clerk elected, file with said clerk to be recorded, as by law directed, such statement of the result of such election.

Election, how to be conducted.

Sheriff and two justices to be canvassers.

SEC. 4. It shall be the duty of the secretary of state to cause this act to be published forthwith, and it shall go into effect from and after its passage.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor and President of the Senate,

Approved, February 9, 1850.
NELSON DEWEY.

Chap 221. An act to lay out a state road from Green Bay in Brown county to Wausan in Portage [county.]

THE People of the State of Wisconsin' represented in Senate and Assembly, do enact as follows:

Commissioners appointed. SECTION 1. That John Stackhouse, Edward A. Pearson, and Henry F. Lessey, be, and are hereby appointed commissioners to

lay out and establish a state road, beginning at Wausau in Portage county, running on the nearest and best route to the town of Green Bay in Brown county.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to authorize Jefferson school district No. 1, in the town of Grafton, county of Washington, to renew a tax warrant. **Chap 222**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The clerk of Jefferson school district No. 1, in the town of Grafton, county of Washington, be and he is hereby authorized and empowered to renew and re-issue to the treasurer of said district, the warrant issued in the year 1848, by the trustees to the collector of said district for the purpose of collecting monies for school house and school purposes in said district with the tax list accompanying the warrant issued as aforesaid ; and the said treasurer is hereby authorized and empowered to collect under such warrant when issued all sums of money specified in such tax list, which are unpaid, together with interest on the same from the time the warrant heretofore issued expired in the same manner he might have done under the original warrant. Clerk authorized to issue warrant.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to extend the time for collecting taxes in the town of Windsor, Dane county. **Chap 223**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The time is hereby extended to the treasurer of the town of [Windsor] to collect and return the taxes of said town, to the fifteenth day of February, 1850. Time for collecting tax extended.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 224

An act to provide for levying a State Tax.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

State tax levied.

SECTION 1. There shall be levied and collected for the year 1850, in each county of this state, a state tax of two mills on the dollar valuation, to be levied, collected, and paid into the state treasury, as is provided by the Revised Statutes of this state.

Supervisors to levy a tax.

SEC. 2. The supervisors of their respective counties, are hereby required to levy the foregoing tax upon the taxable property in their several counties, according to the provisions of the Revised Statutes of this state, for the assessment and collection of taxes.

SEC. 3. The secretary of state is hereby required, immediately on the passage of this act, to cause the same to be published by the state printer, in a newspaper printed at the seat of government, and transmit to each clerk of the board of supervisors of the several counties of this state, a copy of the newspaper containing this act.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 225 An act to appropriate to Nelson Dewey, governor of the state of Wisconsin, the several sums therein named for incidental expenses.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Appropriation to Gov. Dewey.

SECTION 1. That the following sums be appropriated to Nelson Dewey, governor of the state of Wisconsin, for the purposes herein specified, to wit :

The sum of one hundred and twenty-four dollars and fifty cents to be paid to E. A. Calkins for books ;

The sum of fourteen dollars and thirteen cents, to be paid to Cary & Billings for iron work ;

The sum of one hundred and eleven dollars and one cent, to be paid to James Campbell for carpenter work ;

The sum of ten hundred and fifty two dollars and sixty-two cents, to be paid to Silas Chapman for stationery ;

The sum of eighty-eight dollars and thirteen cents, to be paid to Darwin Clark for cabinet work ;

The sum of nineteen dollars, to be paid to John S. Clark for painting ;

The sum of two hundred and forty-three dollars, to A. W. Comfort for selecting lands ;

The sum of eighty-one dollars and eighty-one cents, to be paid to F. J. Blair for lamps and pitchers ;

The sum of three hundred and seventy-three dollars and fifty-two cents, to be paid to Bradford & Brothers for carpeting;

The sum of four hundred and fifty dollars and fifty-one cents, to be paid to N. W. Dean for sundries for the capitol;

The sum of thirty-six dollars, to be paid to Driesbach & Ely for cushions;

The sum of forty dollars and forty-seven cents, to be paid to L. J. Farwell for curtains and rods;

The sum of ten dollars and fifty cents, to be paid Joel S. Fisk for plats of land;

The sum of forty-eight dollars and sixty-three cents, to be paid to Mr. Francomb for painting and glazing;

The sum of forty-one dollars and fifty cents, to be paid to Chas. Foot for hauling;

The sum of two hundred and thirty dollars and seventy-six cents, to be paid to James Halpin for labor;

The sum of thirty dollars, to be paid to Mrs. Halpin for making carpets;

The sum of thirty dollars, to be paid to J. G. Knapp for copying [laws] lands;

The sum of eighty-four dollars, to be paid to McLeane and Jones for chairs;

The sum of six dollars, to be paid to Simon Olsen for labor,

The sum of one hundred and eighteen dollars and eighty-seven cents, to be paid to Henry C. Parker for desks;

The sum of ten dollars and sixty-nine cents, to be paid to Seymour & Varney for sundries for the capitol;

The sum of one hundred and seventy-seven dollars and sixty-seven cents, to be paid to Shepard & Bonnell for curtains;

The sum of two hundred and ninety-three dollars and sixty-one cents, to be paid to Tibbits & Gordon for materials for the capitol;

The sum of ten dollars, to be paid to P. M. Potter for freight;

The sum of twenty dollars, to be paid to Stephen Huggins for copying laws;

The sum of twenty dollars, to be paid to Wright & Honn for stove.

Said sums to be paid out of the treasury of money not otherwise appropriated, and to be in full for the items above specified.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 226 An act for the division of the county of Portage, and the erection of the county of Marathon.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Division of
Portage coun-
ty.

SECTION 1. All that portion of the present county of Portage, lying within the following boundaries, to wit: Commencing at the south-west corner of township twenty-six, north of range two east, running thence north on the range line, between ranges one and two east, to the northern boundary line of this State; thence easterly on said boundary line to a point where the range line, between ranges nine and ten, intersects said boundary line; thence south on said range line to the south-east corner of township twenty-six, north of range nine, east; thence west on the township line, between township twenty-five and twenty-six, north, to the place of beginning, is hereby set off and erected into a separate county under the name and title of Marathon.

County of
Marathon or-
ganized.

SEC. 2. That said county of Marathon is hereby erected, established and organized, with all the rights, powers and privileges, by law granted to other counties of this state, and subject to all general laws established for county government.

County offi-
cers when
elected.

SEC. 3. That on the first Tuesday of April next, 1850, the electors resident within said new county, shall meet in their respective towns or precincts, at the usual place of holding elections, and then and there proceed to elect all and every of the county officers provided by law for county government, which said officers shall hold their offices, when duly qualified, until the expiration of the term of similar officers in other counties.

County judge
when elected.

SEC. 4. That on the first Monday May of next, 1850, there shall be elected by the qualified electors of said county of Marathon a county judge, in accordance with the provisions of chapter eighty-six, of the Revised Statutes of Wisconsin, who shall hold his office under the same terms and restrictions, and with the same limitations as is provided by said act for county judges. The county courts of said county shall be held in accordance with law, at such place at Wausau as shall be designated by the supervisors of the county, until the completion of the court house.

County courts
where held.

Village of
Wausau coun-
ty seat.

SEC. 5. The village of Wausau is hereby declared to be the county seat of said county of Marathon. The circuit court of the third judicial circuit of Wisconsin, shall hold its session at said county seat of Marathon, commencing on the third Monday of February, and on the last Monday of August, in each and every year, the first term to be held on the last Monday of August next, 1850.

Liabilities, how
satisfied.

SEC. 6. The liabilities or indebtedness of the present county of Portage, shall be paid, satisfied, and discharged rateably by said counties of Portage and Marathon, according to the last assessment of Portage county, except so far as the said county of Portage shall have a fund on hand, which said fund shall be used in discharge of such indebtedness, and except further that any new liability of said Portage county arising from any repairs or

alterations of county buildings, &c., shall be paid by said county of Portage. The board of supervisors of either county shall have power to audit claims for which both counties are liable.

SEC. 7. The county of Marathon shall have a claim against the county of Portage for her pro rata of the costs of all public buildings therein situated.

SEC. 8. All process, appeals, recognizances, and other proceedings commenced either in the circuit court for the county of Portage, or in the county court of said county, prior to the first Monday of May next, shall be prosecuted to final judgment therein, in the same manner they might have been had this act not have been passed. Appeals, &c., how prosecuted.

SEC. 9. The county of Marathon shall constitute a part of the second senatorial district.

SEC. 10. The counties of Marathon and Portage shall constitute an assembly district until otherwise provided for by law.

SEC. 11. It shall be the duty of the county supervisors elected at the election to be held the first Tuesday of April next, 1850, in said county of Marathon, to meet at some suitable place in the village of Wausau, on the first Monday of May next, at ten o'clock, A. M. and proceed to select suitable and convenient grounds for the erection of a court house and other necessary county buildings. Supervisors to select location for county building.

SEC. 12. The sheriff of the county of Portage is hereby required to give the legal notice of the election required to be held in said county of Marathon, on the first Tuesday of April next, as the law directs. Sheriff to give notice.

SEC. 13. All records of Portage county relating to persons or property, either real or personal, in said Marathon county, shall be free of access to, and shall be free of charge to, the proper officers of Marathon county to transcribe. Records to be free of access.

SEC. 14. This act shall be in force and take effect from and after its publication, and all laws now in force inconsistent with the provisions hereof are hereby repealed. The secretary of state is hereby directed to cause this act to be published in some newspaper printed in Madison, at as early [a] day as possible.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to authorize the payment of a certain sum of money to Martia V. Burris. Chap 227

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. That Martin V. Burris be allowed and paid out of the state treasury the sum of two hundred and seventy-four M. V. Burris.

dollars and forty cents, it being the amount of principal and interest, at ten per centum per annum, of a certificate of indebtedness against the late territory of Wisconsin, held and owned by said Burris, and issued to A. A. Bird on the fifth of March, eighteen hundred and forty-one, for one hundred and forty-four dollars, bearing the said ten per cent interest; which said certificate has been lost or stolen from the possession of said Burris, and as yet not paid to any one, by either the territorial or state treasurer of Wisconsin.

Treasurer to pay.

SEC. 2. That after the passage of this act, the state treasurer shall pay to the said Martin V. Burris, the above sum of money: *Provided*, That before the same is paid, the said Burris shall execute to the said treasurer, for the use of the state, a bond in the penal sum of five hundred dollars, with one or more sureties, to be approved by said treasurer, with a condition, that the said Burris shall forever save the said state harmless from any future liability on said lost or stolen certificates, and refund to said state interest at twelve per cent per annum, the full amount of such liability and costs, in case any should be established against and paid by the state.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 228

An act to appropriate to certain persons the sums therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

J. A. Brown.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to John A. Brown the sum of fifteen and eighty-four one-hundredth dollars, in full for two hundred and sixty-four copies of the Rock County Badger furnished members of the present legislature.

G. W. Bliss.

SEC. 2. To G. W. Bliss, editor of Wisconsin Tribune, for newspapers furnished members of the legislature during the present session, the sum of five dollars.

Atwood and Buck.

SEC. 3. To Atwood & Buck the sum of one hundred and ninety-nine dollars, in full pay for newspapers furnished members of the legislature at the present session of the legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend certain chapters and sections of the Revised Statutes. Chap 229

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. If any person authorized by any statute of this state to take an oath or affirmation, or if any person of whom an oath or affirmation shall be required by law, shall willfully swear or affirm falsely, in regard to any matter or thing, respecting which such oath or affirmation is authorized or required, such person shall be deemed guilty of perjury, and shall be punished by imprisonment in the state prison as provided by law. Punishment for perjury.

SEC. 2. When any married woman residing in this state, shall join with her husband in any deed or conveyance of, or relating to real estate, situate within this state, or when she alone, without joining with her husband, shall execute a release of dower, her acknowledgment, or the proof of the execution of such deed, conveyance, or release, may be taken and certified the same as if she were sole, and if so taken and certified, shall entitle such deed, conveyance or release to be recorded. Married woman may convey real estate &c.

SEC. 3. So much of section five, of chapter twenty-one of [the] revised statutes as reads as follows, to wit: "It shall be the duty of the secretary of state within one week after the passage of any law or joint resolution, to furnish to the person appointed to print the laws, a correct copy of the same; and it shall be the duty of the person so appointed, to furnish within four weeks after the close of any session of the legislature, to the secretary of state, at his office, the prescribed number of copies of the laws, completed according to the contract;" also so much of section one hundred and six, of chapter eighty-four of the revised statutes, as reads as follows, to wit: "Whenever a judgment at law shall be enjoined before any writ of injunction shall be issued, the complainant shall give a bond to the defendant in a penalty of double the amount of the judgment at law to be enjoined, with good and sufficient security, conditioned as required by law, and particularly to pay to the defendant the amount of such judgment, in case the injunction shall [be] dissolved;" and section one of chapter fifty-five, section twelve of chapter fifty-nine, section ten of chapter one hundred and four, sections seven and eight of chapter one hundred and twenty-five, section thirty-two to section forty inclusive of chapter one hundred and thirty, (section three of chapter one hundred and thirty-one,) and section two of chapter one hundred and thirty-six of the revised statutes are hereby repealed. Sections of revised statutes repealed.

SEC. 4. Sections one hundred and eighty-two, and one hundred and eighty-three of chapter eighty-eight of the revised statutes shall be construed the same and shall have the same force and effect as if they were inserted next after section one hundred and ninety-four of said chapter eighty-eight. Construction to give to certain sections.

SEC. 5. In addition to the cases in which by the thirteenth section of the twenty-eighth chapter of the revised statutes, the supervisors of towns are authorized to apply for a warrant, the said supervisors may when any of the persons named in said sec- Amendments to 28th chapter.

tion are about to abscond, or about permanently to remove from such town, apply to two justices of the peace, in the same manner and with the same effect, as is provided in other cases by said section: and every warrant so issued in pursuance of the provisions of this act shall be subject to all the provisions of law applicable to other warrants issued in pursuance of the provisions of the said thirteenth section.

SEC. 6. This act shall take effect from and after its passage.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 230 An act to provide for the incorporation of Mutual, Savings, Trust, Loan, and Building Associations.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Associations,
&c., author-
ized, and how.

SECTION 1. Any ten or more persons desirous of forming an association for the mutual benefit and assistance of its members, or for furnishing them with loans out of the funds of the association, or for providing a safe and profitable depository of the earnings and savings of the working classes and others of small means, or for executing trusts and managing trusts, property, and funds, or for assisting its members in the purchase of lots and building thereon, dwelling houses, or in paying for houses and lots which they may have already purchased, may make, sign, and acknowledge before some proper officer authorized to take acknowledgment of deeds, a certificate in writing, in which shall be stated the name of such association, and the objects for which the association shall be formed, the amount of capital stock of such association, the number of shares of which said stock consists, the number of trustees and their names, who shall manage the concerns of said association for the first year, and the name of the city, town and county in which the operations of the said association are to be conducted.

May issue cer-
tificates.

Certificates to
be filed.

SEC. 2. Such certificate shall be filed in the office of the register of deeds of the county in which the business of the association shall be carried on, and a certificate thereof shall be filed in the office of the secretary of state.

Created body
corporate.

SEC. 3. When such certificate shall have been filed as aforesaid, the persons who shall have signed and acknowledged the same, and their successors shall be a body politic and corporate, by the name stated in such certificate, and shall by their corporate name be capable of purchasing, holding, and conveying any real and personal estate whatever, which may be necessary to enable the said corporation to transact the business named in such certificate.

SEC. 4. Parents or guardians may take and hold shares in such associations in behalf of their minor children or wards, and trustees in behalf of married women, and may act in such associations in behalf of those they represent. Who may hold shares.

SEC. 5. The investments of every savings or trust association formed under this act shall be made either in loans on pledge of the shares of the association, or in redemption thereof, or on unincumbered real estate, within this state, that shall be worth at least fifty per cent. more than the amount loaned thereon, or in the public stocks of the United States. How investments to be loaned.

SEC. 6. The investments of every loan or building association that shall be formed under the provisions of this act, shall be made either in loans to, or in redemption of the shares of, or in purchasing lots, and erecting dwellings for the members, or in all of said modes, as the constitution of the particular association shall provide. Kinds of loans, &c.

SEC. 7. No association or company formed or organized under the provisions of this act, shall issue any certificate of deposit or stock, bill or other evidences of debt whatever, to circulate as money. Banking prohibited.

SEC. 8. All associations formed under the provisions of this act shall possess the powers and be subject to the provisions of the fifty-fourth chapter of the revised statutes so far as the same may apply. Subject to powers of chapter 64, revised statutes.

SEC. 9. The legislature may at any time alter, amend, or repeal this act, or may annul and disfranchise any corporation formed or created under the same.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Rood & Whittemore the sum therein named.

Chap 231

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Rood & Whittemore the sum of four hundred and four dollars and five cents, in full for gold pens and pocket knives furnished the members of the legislature at its present session. Rood & Whittemore.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate

Approved, February 9, 1850.

NELSON DEWEY.

Chap 232

An act to provide for the incorporation of Insurance Companies.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Authorized to form companies, &c.

SECTION 1. Any number of persons not less than five in number, may associate and form an incorporated company for the purpose of making insurance upon vessels, freights, goods, wares, merchandize, specie, bullion, jewels, profits, commissions, bank notes, bills of exchange, and other evidences of debts, bottomry, and respondentia interests, and to make all and every insurance appertaining to, or connected with marine risks, and risks of transportation and navigation, and to make insurance on dwellings, houses, stores, and all kinds of buildings, and upon household furniture, merchandize and other property, against loss or damage by fire, and the risks of inland navigation and transportation, and also to make insurance upon the health or lives of individuals, and all and every insurance appertaining thereto, or connected with health or life risks, and to grant, purchase, or dispose of annuities.

Power to make re-insurance, &c.

SEC. 2. Any company organized under this act shall have power to make re-insurance of any risks taken by them respectively, and may make insurance upon any and all of the risks taken by them respectively, and may make insurance upon any or all of the risks mentioned in the first section of this act, except for the insurance of life and health, but the business of life insurance and health insurance shall in no wise be connected or united in any company making insurance on marine and fire risks.

To file declaration of intentions, &c.

SEC. 3. Such persons shall file in the office of secretary of state a declaration, signed by all the incorporators, expressing their intention to form a company for the purpose of transacting the business of insurance, which declaration shall state the name assumed by the company, a copy of the charter proposed to be adopted by them, with the name of the place of their intended location, and they shall publish a notice of their intention, once in each week for at least six weeks in a public newspaper in the county in which such insurance company is proposed to be located, which said notice shall likewise state the time and place where the books of subscription to stock will be opened.

May open books for subscriptions.

SEC. 4. It may and shall be lawful for the individuals associated for the purpose of organizing any company under this act, after having filed their intention and published the notice as before provided, and on the day, and at the place or places in said notice specified, to open books for subscription to the capital stock of the company so intended to be organized, and to keep the same open until the full amount specified in the charter is subscribed; or in case the business of such company is proposed to be conducted on the plan of mutual insurance, then to open books to receive propositions, and enter into agreements as hereinafter specified.

Amount of capital necessary before organization completed.

SEC. 5. No joint stock company organized for the purposes mentioned in this act, shall be organized in this state with a smaller capital than fifty thousand dollars, nor shall any company formed for the purpose of doing the business of marine, or fire, or in-

land navigation insurance, on the plan of mutual insurance, when dividends of earned premiums are to be declared, commence business, until agreements have been entered into for insurance, the premiums on which shall amount to fifty thousand dollars, and the notes received therefor, payable on or before one year from the date thereof, which said notes shall be part of the capital stock and shall be valid, and shall be negotiable and collectable for the purposes of paying any losses which may accrue, nor shall any company, organized for the purpose of doing the business of fire insurance, on the plan of mutual insurance when dividends are not to be declared of earned premiums, commence business until agreements have been entered into for insurance, the premium notes on which shall amount to five thousand dollars, and the notes received therefor, and per centage paid, said notes payable when called for according to the charter or by-laws of the company, to pay losses and expenses, nor shall any company which may be organized under this act, expose itself to any loss on any one fire or inland navigation risk or hazard, to an amount exceeding ten per cent. of its capital.

SEC. 6. No company formed for doing the business of life, or health insurance on the plan of mutual insurance, shall commence business until a cash capital of one hundred thousand dollars shall have been paid in, and actually invested, either in the stocks of the United States or in bonds and mortgages, or farming [lands,] worth double the amount for which the same is so mortgaged, the buildings forming no part of the valuation; the value to be ascertained by the appraisal of three disinterested commissioners appointed by the judge of the county or circuit courts, when applied to for that purpose.

Capital stock necessary for life insurance companies.

SEC. 7. It shall not be lawful for any company organized under this act to transact business unless possessed of capital or securities as hereinbefore mentioned; nor shall it be lawful for any agent or agents of insurance companies incorporated by other states, directly or indirectly, to take risks or transact any business of insurance in this state, without first having procured a statement under oath of the president and secretary of the company, showing the amount of capital of the company, the manner in detail in which the same is invested, and shall also state whether its capital is unpaid or not, and if unpaid, how much, and file the same with the secretary of state, who shall if he is satisfied of the solvency of the company, grant his certificate of authority to such agent to take risks, and he shall in like manner procure a new statement so long as he shall continue such agent, and cause the same to be filed with the secretary of state, and procure the like certificate of license during the month of January in each and every year thereafter. No company incorporated by other states shall transact business in this state, unless it possess such an amount of actual capital as is required of companies formed under the provisions of this act; nor shall it be lawful for any agent or agents of any company incorporated by any foreign government for the purpose of insurance, to transact any business of insurance without

Agents of companies in other states to file certificates &c.

first having procured a certificate of authority from the secretary of state; such authority to be granted only upon evidence to his satisfaction that such company has invested in stocks of the United States, an amount equal to the amount of capital or security required by this act for companies organized in this state, and that such stocks are deposited in the treasury of this state for the benefit and security of such as may effect insurance with him or them, and shall not be withdrawn by said company until all of their liabilities are discharged, and in all cases where a loss shall happen, and the company shall not discharge their liability within the time limited by the agreement of insurance, it shall be lawful for the party or parties insured, to present a petition under oath to the circuit court of the county where such loss happened, setting forth the fact of insurance, the loss, and amount, with the particulars as far as known of, how it happened, with a prayer that an order be issued to the state treasurer to sell so much of the stocks as shall be necessary to discharge such liability, with interest, costs and charges, of such sale, and upon the filing of such petition with the clerk of the circuit court, he shall issue a summons against said company, citing them to appear before the said court at the next term thereof, to show cause, if any, why the prayer of the petitioner should not be granted, and a service upon the agent or agents, or in case they cannot be found, by leaving a copy at their last usual place of business, shall be legal and valid for the purposes of bringing the parties into court. Upon the return of such process by the sheriff of the proper county, the case shall be proceeded with as in ordinary actions, and in case judgment is rendered for the petitioner or petitioners, the court shall assess twenty-five per cent. damages in addition to the actual amount of loss and interest for the detention thereof, with costs, and shall issue an order to the treasurer of state to sell so much of the stocks of said company as shall be necessary to pay said judgment and costs, with the cost of sale, and out of the proceeds to pay the same. The sale to be at auction, and upon twenty days public notice in some newspaper published at the seat of government of the state, and thereafter, the business of the company shall be suspended until such time as they shall make a further deposit of stocks, equal to the amount so sold. In all actions against insurance companies of other states of the United States, a service upon the authorized agent or agents, resident or doing business in the county where the action is brought, or in case he or they cannot be found, by leaving a copy of the process at the last usual place of business, shall be valid and legal service.

To deposit
stock with
state treasurer.

Proceedings in
case of loss.

To give notice
&c.

How capital to
be invested.

SEC. 8. It shall be lawful for any company organized under this act to invest its capital or the funds accumulated by its business, or any part thereof, in bonds and mortgages on unincumbered real estate, within this state worth fifty per cent. more than the sum loaned thereof, or in stocks of the United States, and to lend the same, or any portion thereof, on the security of such stock or bonds and mortgages, and any company organized for

the purpose of marine insurance may in addition to the foregoing, loan their funds on bottomry and respondentia and change and re-invest the same as occasion may from time to time require.

SEC. 9. No company organized by or under the provisions of this act, shall be permitted to purchase, hold, and convey real estate, except such as shall be necessary for its immediate use in the transaction of its business, or such as shall have been mortgaged to it in good faith by way of security for loans, or such as shall have been conveyed to it in satisfaction of debt previously contracted in the regular course of its dealings, or such as shall have been purchased upon any sale upon judgments, decrees or mortgages in their favor, or upon lands in which they have an interest, subsequent to such judgment, decree, or mortgage. Limitation as to real estate to be held, &c.

SEC. 10. It shall be the duty of the incorporators of any and every company organized under this act, in addition to the other provisions in this act contained, to set forth in their charter the manner in which the corporate powers are to be exercised, the mode and manner of electing their officers, a majority of whom shall be citizens of this state, and the filling of vacancies, the commencement and termination of its fiscal year, together with the amount of capital to be employed in its business. To set forth manner of electing officers.

SEC. 11. The charter thus filed by the corporation shall be examined by the governor, and if found to be in accordance with the requirements of this act and consistent with the constitution and laws of this state, he shall so certify to the secretary of state. The incorporators shall certify under oath that an amount equal at least to the amount specified in the fifth section of this act, if it be a stock company, has been paid in, and is possessed by it in money or in such stocks and bonds and mortgages, as are required by the eighth section of this act, or if a mutual company, that it has received, and is in possession of the capital premiums, or engagements of insurance as the case may be, to the full extent required by this act, or if it be a life and health insurance company to the full amount, and invested in the manner as required by the sixth section of this act, which said certificate shall be filed with the secretary of state, whose duty it shall then be to furnish the corporation with a certified copy of the charter and certificates aforesaid, which shall be their authority to commence business and issue policies. Charter to be examined and approved by Governor.

SEC. 12. The incorporators, or the trustees, or directors of any company organized under the provisions of this act, shall have the power to make such needful by-laws, not inconsistent with the constitution of the United States, or the constitution or laws of this state, as to them may seem necessary and expedient. May make by-laws.

SEC. 13. It shall be the duty of the president, or vice president, and secretary of each company organized under this act, annually, on the first day of January, or within one month thereafter, to prepare and certify to the condition thereof, under oath, and deposit in the office of secretary of state, and also cause to be published, in at least one paper at the seat of government, and one paper in the county where the said company are doing Duties of president or other officers of company.

business, a statement exhibiting the total amount of premiums received, and the total amount of losses paid and ascertained including expenses during the year, also the amount of debts owing by the company at the date of the statement, and the amount of claims which then existed against the company for losses accrued, showing what amount of such losses is payable on demand, what amount is considered fair or legal, the payment of which has not been matured according to the contract, and what amount thereof is resisted on account of alleged fraud, or for which the company do not consider themselves legally liable; also a statement of the securities representing the capital stock, and all funds of the company; and also whether any of the securities held or owned by such company are considered bad or doubtful, and if so, specifying the amount of such securities, and the gross amount of outstanding risks thereon, and a list of the stockholders, if a stock company, together with the amount of their respective shares, and if upon due examination it shall appear to the secretary, that the losses and expenses of such company during the year have exceeded the premiums, and in consequence thereof the capital of such company has become deficient, or from any other cause has become impaired, it shall be the duty of said secretary to direct the officers of any such company, within sixty days, to proceed to wind up its business unless within that time the stockholders thereof shall pay in the amount of such deficiency. Any company receiving such requisition from the secretary, shall forthwith call upon its stockholders for such amounts as will make its capital equal to the amount fixed by its charter, and in case any stockholder of such company shall refuse or neglect to pay such call after notice personally given, or by advertisement in such time and manner as the secretary shall approve, it shall be lawful for said company to require the return of the original certificates of stock held by such stockholders, and in lieu thereof, to issue new certificates for such number of shares as the said stockholders may be entitled to, in the proportion that the ascertained value of the funds of the said company may be found to bear to the original capital of said company; the value of such shares, for which such new certificates shall be issued, to be ascertained under the direction of the secretary, and the company paying for the fractional parts of shares; and it shall be lawful for the directors of such company to create new stock and dispose of the same and issue new certificates therefor, to an amount sufficient to make up the original capital of the company, and it is hereby declared that in the event of any additional losses accruing upon new risks taken after the secretary shall have made the requisitions aforesaid, and before the said deficiency shall have been made up, the directors shall be individually liable to the extent thereof, and in all cases until the requisition of the secretary shall be complied with; the directors shall be liable for all damages occasioned by such neglect to any person or body corporate which may be injured thereby. Any transfer of the stock of any stock company organized under this act, shall not release the party making the trans-

fer from his liability for losses which may have accrued previous to the transfer.

SEC. 14. The legislature may at any time alter, amend, or repeal this act, and in case of the abuse of the powers herein conferred by any company, may dissolve and provide for the closing up the business and affairs thereof. Right reserved to legislature.

SEC. 15. Suits at law may be maintained by any corporation formed under this act, against any of its members or stockholders for any cause relating to the business of such corporation, and may be maintained by any member or stockholder against such corporation for losses which may have accrued, if payment is withheld, in all risks after such loss shall have become due. Suits may be maintained vs. stockholders.

SEC. 16. All companies formed under this act shall be deemed and taken to be bodies corporate and politic, and may sue and be sued, and shall be subject to all laws relating to corporations, so far as the same shall be applicable. To be deemed corporate bodies.

SEC. 17. No company formed under this act shall directly or indirectly deal or trade in buying and selling any goods, wares, merchandize, or other commodities whatever. Shall not engage in trade.

SEC. 18. The trustees and corporators of any company organized under this act, and these entitled to a participation of the profits, shall be jointly and severally liable, until the whole amount of the capital raised by the company shall have been paid in, and a certificate thereof recorded as hereinbefore provided. Notes taken in advance of premiums, under this act, are not to be considered debts of the company in determining whether a company is insolvent, but are so to be regarded as assets of the company. Trustees, &c., to be jointly and severally liable.

SEC. 19. No dividend shall ever be made by any company incorporated under this act when its capital stock is impaired, or when the making thereof would have the effect to impair its capital stock, and any dividend so made, shall subject the directors and the stockholders receiving the same to a joint and several liability to the creditors of said company to double the amount of the dividend so made. When dividends not to be made.

SEC. 20. In pursuance of this act it shall be lawful for any mutual company to unite a cash capital to any extent as an additional security to the members over and above their premiums, and stock notes, which additional cash capital shall be left open for accumulation, and shall be loaned and invested as provided in the eighth section of this act, and the company may allow an interest on such cash capital and a participation in its profits, and prescribe the liability of the owner, or owners thereof, to share in the losses of the company, and such cash capital shall be liable as the capital stock of the company in the payment of its debts. Mutual companies may unite capital, &c.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

Chap 233

An act to appropriate to B. H. Campbell the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

B. H. Campbell. SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to B. H. Campbell the sum of two hundred and sixty dollars and thirty-three cents, being balance due for candles furnished the governor for the use of the state.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 234

An act to appropriate to James W. Seaton the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

J. W. Seaton. SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to James W. Seaton the sum of ten dollars in full for publishing proposals for printing in the Potosi Republican.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 235

An act to appropriate to B. S. Henning the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

B. S. Henning. SECTION 1. That there be and hereby is appropriated to B. S. Henning the sum of fifteen dollars in full for three hundred copies of the Winnebago Telegraph furnished the members of the legislature during the present session.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to provide for the appraisal and sale of school lands, and for granting pre-emptions thereon. Chap 236

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. There shall be appointed by the legislature at its present session, by joint resolution of the senate and assembly, three persons in each county, in which any of the five hundred thousand acres of land granted by the United States to the state of Wisconsin, and appropriated to the school fund, have been located, except that portion thereof included in the odd numbered sections remaining unsold, and being part of the grant of land to aid in the construction of a canal from Milwaukee to Rock river, who shall proceed to appraise such lands located in the county for which they were appointed as hereafter provided. Legislature to appoint appraisers.

SEC. 2. At any time hereafter, when any of such lands provided for in such grant shall be located and duly reported according to law, it shall be the duty of the Governor of the state of Wisconsin to appoint three suitable persons in each county where said lands may be located, to act as appraisers of said lands as hereinafter provided. When lands located Governor to appoint appraisers.

SEC. 3. It shall be the duty of the secretary of state, within ten days after the appointment of appraisers as specified in the first and second sections of this act, to issue a notice of such appointment in writing under the seal of the state to the persons so selected, which said notice shall either be delivered to the appraiser in person or forwarded by mail, directed to the post office nearest his residence, and in case any or either of the appraisers so selected shall refuse to qualify according to law, within twenty days after notice of his appointment, the governor shall proceed to make a new appointment to fill such vacancy or vacancies, and continue so to do until all the commissions are full. Secretary to notify appraisers of their appointment.

SEC. 4. The appraisers appointed under either of the foregoing provisions, shall before entering on the duties of their office, take and subscribe an oath or affirmation to be administered by some proper officer, to support the constitution of the United States and of this state, and faithfully and honestly to discharge the duties devolving upon them as such appraisers, according to the best of their ability, which said oath or affirmation shall be attached to their report to be returned as hereinafter provided. Appraisers to make oath &c

SEC. 5. It shall be the duty of the appraisers or a majority of them, upon receiving notice as provided in the third section of this act, and after having taken the oath provided for in the fourth section of this act, to proceed to make a personal inspection of all lands situate in the county for which they were appointed, and to appraise the same in forty acre lots, stating the value per acre of each, and every such lots at a fair valuation, without reference to any improvements made thereon. They shall also return a particular description of all improvements made by any occupant or claimant upon any such lands if any, with a full and fair estimate Duty of appraisers.

of the value of such improvements, with the name or names of the person or persons claiming the same.

To make report.

SEC. 6. After having inspected each and every parcel of said land, situate in said county for which said appraisers were appointed, and within six months after their appointment, to make a full, distinct, and correct report to the office of the secretary of state, of all the lands within their respective counties, describing them by forty acre divisions, with the value per acre, as estimated by them, of each subdivision; also, an estimate of the improvements, &c., on each, as before provided, and for the purpose of giving form, uniformity, distinctness and correctness to their said reports, the secretary of state is required to furnish to such appraisers printed forms upon which to make their returns, upon such plan as may be by him provided.

Compensation.

SEC. 7. The said appraisers aforesaid shall be allowed for the services herein required of them, at the rate of two dollars and fifty cents per day for the time they may be necessarily engaged in the discharge of their duties as such appraisers, to be determined by their oaths; the payment thereof to be made out of the school fund upon the certificate of the secretary of state, stating the amount so due for such service, but no certificate shall be granted until such appraisers shall have fully complied with all of the requirements of this act.

State officers to offer lands for sale, &c.

SEC. 8. After the lands shall have been so appraised and the appraisal duly reported to the office of the secretary of state, and whenever in the opinion of the treasurer, secretary of state, and the attorney general, it shall be for the best interest of the school fund, the said lands shall be offered for sale, which sale shall be conducted in the manner and under the restrictions which are now provided for the school and university lands, by chapter twenty-four of the revised statutes, or as may hereafter be provided; but in all cases of pre-emptions under this act, the pre-emptor shall have the right to purchase according to the premises herein provided.

Pre-emption secured to settlers.

SEC. 9. There is hereby secured to every person who at the time of the location for school purposes, any tract of land referred to in section one of this act, had made an actual settlement and cultivation thereon, the pre-emption right to purchase an amount of land not exceeding one hundred and sixty acres, embracing such settlement and cultivation to be selected by the claimant in legal subdivisions at the appraised value: *Provided*, That no such pre-emptor shall be allowed to purchase any land so claimed for a less sum than one dollar and twenty-five cents per acre.

Provide.

Pre-emptor to prove claim, &c.

SEC. 10. At any time before any such lands shall actually be offered for sale, any person or persons residing thereon wishing to avail themselves of the rights secured by section eleven, of chapter twenty-four of the revised statutes, shall prove up their right to such pre-emption before the said commissioners by the affidavits of two or more disinterested persons, together with his or her own, setting forth that he or she had at the time of the location as school

lands by the state, of the premises therein described, made an actual settlement and cultivation thereon, and shall at the time of the sale comply with the same conditions and obligations imposed upon other purchasers of said lands, and in case of non-compliance with the terms hereof shall forfeit all right to pre-emption.

SEC. 11. The appraisers appointed by virtue of this act are hereby prohibited from surveying the lands appraised by them. Prohibition.

SEC. 12. In all cases in which in the opinion of the treasurer, secretary of state, and attorney general the said lands are an adequate security for the purchase price, and will remain so during the time for which a credit shall be given on them, the same shall be sold on a credit of not exceeding thirty years, with interest payable annually, at the rate of seven per cent. per annum in advance. Credit may be given not exceeding thirty years.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate the several sums therein mentioned.

Chap 237

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. There is hereby appropriated to E. R. Utter the sum of sixteen dollars and eighty cents, to be paid out of any money in the treasury not otherwise appropriated, for papers furnished the present legislature. E. R. Utter.

There is hereby appropriated to Alden & Holt the sum of twelve dollars and twenty-five cents, for papers furnished the present legislature. Alden & Holt

There is hereby appropriated to S. M. Booth the sum of ten dollars for papers furnished the present legislature, and the further sum of two dollars for publishing governor's proclamation. S. M. Booth.

There is hereby appropriated to Densmore & Cooley the sum of six dollars for papers furnished the present legislature. Densmore & Cooley.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to appropriate to Samuel Ryan, Jr., the sum therein named.

Chap 238

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. There is hereby appropriated to be paid out of S. Ryan, Jr.

any money in the treasury not otherwise appropriated, to Samuel Ryan, Jr., the sum of four dollars in full for twenty copies of the *Fond du Lac Republican* furnished members of the present legislature.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

Chap 239

An act to appropriate to J. R. Rickey the sum therein named.

The People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

J. R. Rickey.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to J. R. Rickey the sum of two dollars and fifty cents in full for medicines furnished Reed, state prisoner.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL

Lt. Governor, and Pres't of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 240

An act to appropriate to S. H. Taylor the sum therein named.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

S. H. Taylor.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to S. H. Taylor the sum of thirteen dollars and seventy-five cents, in full for two hundred and twenty copies of newspapers furnished the members of the present legislature.

MOSES M. STRONG;

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 241

An act to appropriate to Cramer & Curtis the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Cramer &
Curtis.

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Cramer

& Curtis the sum of fifty dollars in full for the daily Wisconsin furnished the members of the present legislature at its present session.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to the county of Waukesha the sum therein named. Chap 242

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of ^{Waukesha co.} any money in the treasury not otherwise appropriated, to the county of Waukesha, the sum of one hundred and thirty-eight dollars and thirteen cents in full for board and clothing furnished state-prisoners up to October 30, 1849, and also in full for charges for removing state prisoners from Milwaukee to Waukesha.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Tenney, Smith, Holt, & Co. the sum therein named. Chap 243

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to Tenney, Smith, ^{Tenney, Smith} Holt, & Co. the sum of one hundred and ninety-three dollars and ^{Holt & Co.} fifty cents, for three thousand two hundred and twenty-five copies of the Wisconsin Argus furnished to the members of the legislature, at five cents per copy.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Rev. Charles Lord the sum therein named.

Chap 244

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to the Rev. Rev. C. Lord.

Charles Lord the sum of fifty dollars for his services of chaplain during the present session of the legislature, in full, out of any money in the treasury not otherwise appropriated: *Provided*, That no more than fifty dollars shall be paid the said Lord for his services as chaplain for the year 1850.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 245 An act to appropriate to Fratney & Hertzberg the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

Fratney and
Hertzberg.

SECTION 1. There is hereby appropriated to Fratney & Hertzberg, of the city of Milwaukee, the sum of forty-five dollars and forty-five cents, in full for translating and printing five hundred copies of the governor's message in the German language.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 245 An act to appropriate to Delaney and Wright the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Delaney and
Wright.

SECTION 1. There is hereby appropriated to Delaney & Wright the sum of five dollars and fifty cents in full for one hundred and ten copies of "The Telegraph," published at Shullsburg, and furnished to members of the legislature at the present session, out of any moneys in the state treasury not otherwise appropriated.

MOSES M. STRONG,
Speaker of the Assembly.
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 247 An act to appropriate to Bunner & Stafford the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Bunner and
Stafford.

SECTION 1. There is hereby appropriated to be paid out of

any money in the state treasury not otherwise appropriated, to Bunner & Stafford the sum of thirty-six dollars, in full for six hundred copies of the Racine Advocate furnished members of the present legislature.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to pay the several persons the sums therein named.

Chap 248

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated to William R. W. R. Smith and William Hull, each the sum of fifty dollars for prepar- & W. Hull.
ing the journals of the senate and assembly of the present session for publication.

SEC. 2. To Alfred Johnson the sum of fifty dollars in pay- A. Johnson.
ment for writing done for the legislature at its present session.

SEC. 3. There is hereby appropriated to the chief clerk of the Chief clerk.
assembly the sum of thirty dollars to pay for enrolling bills during the present session.

SEC. 4. That there is hereby appropriated, to be paid out of D. N. Johnson
any funds in the state treasury, to D. N. Johnson the sum of fifty-one dollars, for services as assistant clerk of the assembly and enrolling clerk of the senate, and for extra writing done for the present legislature.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to direct in what manner and in what courts suits may be brought against the state. Chap 249

13

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That hereafter it shall be competent for any per- How claim-
son or persons, deeming him, her, or themselves, or any body pol- ants to proceed
itic, deeming itself aggrieved by the refusal of the legislature to
allow any just claim against the state, to exhibit and file a peti-
tion in the nature of a bill in chancery, setting forth fully and par-
ticularly the nature of such claim with the clerk of the supreme
court, either in term time or vacation.

SEC. 2. At the time of filing such petition or bill, the com- Complainant

file bond, &c. plaintiff shall also file a bond, running to the state treasurer, with two or more sufficient sureties, to be approved by the state treasurer, in the penal sum of five hundred dollars, conditioned to indemnify the state against all costs that may accrue in said cause, and to forthwith pay, or cause to be paid, to the clerk of said court, all costs, in case he (complainant) shall fail to prosecute his suit, or to obtain a judgment or decree against the state, and the cause shall then be placed upon the calendar.

To file copy of petition with attorney general. SEC. 3. The said complainant, within ten days after having filed said petition or bill, and said bond, shall serve a true copy of the said petition or bill upon the attorney general of the state, together with a rule to plead, answer, or demur, within a period of time not less thirty days from the time of such service; and the attorney general shall thereupon be required to plead, answer, or demur, within the time expressed in such rule.

Supreme court to determine cause, &c. SEC. 4. The supreme court shall, in its order, proceed to hear and determine said cause, as the law and very rights of the case may require, and in the progress of said cause, if an issue of fact shall be made up, and the supreme court shall be satisfied that it shall be necessary to have the same tried and determined by a jury, they shall certify the same to any one of the circuit courts in any county in the state, and the said circuit court shall proceed at its next regular term, to try by jury, as in other causes; the said question of fact, subject to the laws, rules and regulations of said court, and the verdict rendered by the jury shall be sealed up and returned immediately to the clerk of the supreme court; and thereupon the supreme court, shall, in their discretion, enter judgment or decree thereon, or certify (for cause shown) the same question or questions of fact back to the same or any other circuit court, to be re-tried, who shall try, certify and return the same in manner as hereinbefore provided, and the decree or judgment rendered in the supreme court, shall be conclusive and final, and the supreme court may grant a new trial of any issue of fact as often as they shall be satisfied there is good cause therefor.

Judgment vs. state to be paid by appropriation. SEC. 5. No judgment or decree rendered as aforesaid, against the state, shall be paid without an appropriation properly made by the legislature, and no execution shall ever be issued against the state upon such judgment or decree.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to provide for the payment of the traveling expenses of the State Superintendent. **Chap 250**

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. The sum of four hundred and fourteen dollars and seventy-five cents is hereby appropriated to pay the traveling expenses of the state superintendent of public instruction for the year ending December 31, 1849, which sum shall be paid out of the state treasury. State superintendent.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act repealing section eight of chapter one hundred and twenty-five of the Revised Statutes, concerning writs of mandamus and prohibition. **Chap 251**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. That the seventh section of chapter one hundred and twenty-five of the Revised Statutes, be amended, so that instead of the fine which by the said seventh section the court is authorized to impose, the court shall be authorized to impose a fine to be paid to the state treasurer, not exceeding five thousand dollars upon every such officer or member of such body or board, and to sentence to imprisonment in any jail in this state, for a term of time, not exceeding five years, every such officer or member of such body or board, or either of said penalties in the discretion of the court. Amendment to Rev. Statutes.

SEC. 2. Section eight of said chapter one hundred and twenty-five, is hereby repealed.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to change the name of the town and village of Arcade in the county of Marquette. **Chap 252**

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. The name of the town of Arcade in the county of Marquette, is hereby changed to Brooklyn, by which name it shall hereafter be known in all places whatsoever. Arcade changed to Brooklyn.

Arcade changed to Dartford.

SEC. 2. The name of the village of Arcade in the county of Marquette, is hereby changed to Dartford, by which name it shall hereafter be known in all places whatsoever.

SEC. 3. This act shall take effect and be in force from and after passage.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 253

An act to pay E. B. Dean, Jr., the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

E. B. Dean, jr.

SECTION 1. There is hereby appropriated to E. B. Dean, Jr., the sum of five hundred and seventy dollars, in full for principal and nine years interest on territorial scrip, issued February 13th, 1841, by an act to provide for the payment of expenses of the legislative assembly, to wit: numbers twenty-one, twenty-two, twenty-three, twenty-four, twenty-six and twenty-eight, to be paid out of any fund in the state treasury not otherwise appropriated: *Provided*, That only that sum shall be paid out of the treasury for any such purpose to the said Dean.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 254

An act to appropriate to Alexander Mitchell the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

A. Mitchell

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Alexander Mitchell the sum of one hundred and sixty-five dollars, in full for territorial scrip numbered 184, 186, 185, 928 and 464.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to pay to D. T. Dickson the sum therein named.

Chap 255

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to D. T. Dickson D. T. Dickson the sum of three thousand nine hundred sixty dollars and ninety-eight cents, in full for all printing done for the legislature up to and inclusive of February 11, 1850.

MOSES M. STRONG,
Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend the twelfth section of chapter one hundred and fifty-five, Revised Statutes title twenty-three of the Revised Statutes. Chap 256

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The twelfth section of chapter one hundred and fifty-five, title twenty-three of the Revised Statutes, shall be so Revised Statutes to be distributed to justices of peace. amended as that each justice of the peace in this state shall be allowed one copy of the Revised Statutes, under the same requirements and restrictions that apply to other officers receiving such copies.

MOSES M. STRONG,
Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 11, 1850.

NELSON DEWEY.

An act to incorporate the Upper Wisconsin Navigation Improvement Company. Chap 257

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That Charles Shuter, John Strong, Abraham Persons created Brawley, Enoch G. Bean, and Edward A. Pierson, and their assted body corporate. associates and successors shall be, and they are hereby incorporated and made a body corporate and politic in fact and in name, by the name of "The Upper Wisconsin Navigation Improvement Company," for the purpose of improving the navigation of the Wisconsin river from Point Boise to the main forks of said river, next above the Beaulieux rapids, and of using or leasing the water power created by such improvement, and by that name they and their successors shall be known, and they are hereby made capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto in all courts and places

whatsoever, and to make and use a common seal, and the same to alter and renew at pleasure; and for the purpose of carrying out the objects of this incorporation, they and their successors and assigns shall have power to erect and maintain dams with suitable slides at such points on the Wisconsin river between the points aforesaid as to them shall seem necessary for the suitable improvement of the navigation of said river, and for that purpose they and their successors and assigns in their corporative name shall be and they are hereby capable in law to purchase, receive, have, hold, and enjoy any lands, tenements, water power, and water privileges, goods and chattels and other real and personal estate to enable them to accomplish the objects of their incorporation, and the same to use and employ, grant, demise, pledge, convey, and dispose of as they shall deem proper, and to have, enjoy, and exercise all the rights, powers, and privileges pertaining to corporate bodies, and useful or necessary for the purposes of their incorporation, and they and their successors and assigns shall have power and authority to demand and receive and give receipts for the same, and to sue for and recover by summons, distress, attachment, or in any other proper manner, tolls upon all lumber, timber, logs, shingles, lath, boats, scows, barges, or other vessels which shall pass over any dam or other improvement made by them or their successors or assigns at the following rates to wit: On all lumber and on all hewed or squared timber at the rate of one cent per thousand feet of board measure, for each and every foot of elevation in any dam made by them or their successors or assigns, and over which such lumber or timber shall be run; on all logs or timber which cannot be conveniently reduced to board measure thirty cents, for each raft, for each and every foot of elevation in any dam made by them or their successors or assigns, and over which such raft shall be run; on all shingles or lath at the rate of five mills per thousand, for each and every foot of elevation in any dam made by them or their successors or assigns; On all boats, scows, barges or other vessels at the rate of five mills per ton burthens for each and every foot of elevation in any dam made by them or their successors or assigns, and if they or their successors or assigns shall adopt any other mode of improving the navigation of said river than by building dams, they shall be entitled to receive the same rate of tolls for such improvement as they would have been entitled to if such improvement had been made by means of a dam.

Rates of toll.

Capital stock
not to exceed
\$250 000.

SEC. 2. The capital stock of said company shall not exceed two hundred and fifty thousand dollars, to be subscribed in shares of one hundred dollars each, and as soon as five hundred shares of the said stock shall be subscribed, the individuals above named or any three of them may by public notice published in one or more newspapers printed nearest the village of Plover, for a period of not less than thirty days, call a meeting of the stockholders of said company for an election of five directors.

Business of
company to be
managed by
directors, &c.

SEC. 3. The stock property and concerns of the said company shall be managed and conducted by five directors, being stockholders, one of whom shall be president, and they shall hold

their offices for one year, and until others are elected in their places, and the stockholders may vote either in person or by proxy, and shall be entitled to one vote on each share of the capital stock they may severally hold in said company, and in every election of directors, the stockholders having the greatest number of votes shall be directors, and the individuals above named or any two of them shall be inspectors and judges of the first election, and the said directors when elected shall choose out of their own number a president, and the said president and directors shall annually thereafter by public notice as aforesaid, call meetings of the stockholders for electing directors of the said company, and shall appoint three of the stockholders not being directors, as inspectors and judges of election, and the said president and directors may make, ordain, and execute such by-laws and regulations for the government of the said corporation in their proceedings, and for the management of the stock, property, effects, and concerns of said company, as may by them be deemed necessary and convenient: *Provided*, The same be not repugnant to the constitution or laws of this state or of the United States, and the said president and directors or a majority of them shall and may appoint such officers, superintendant's agents, and servants, with such compensation as they may think proper, and may remove the same at their pleasure. Proviso.

SEC. 4. As soon as forty thousand dollars of the capital stock of the said company shall have been paid or satisfactorily secured, it shall and may be lawful for the said company to commence their business, and the said president and directors or a majority of them shall have power to call in said stock from time to time in such instalments as they shall see fit to prescribe, giving thirty days notice as aforesaid, not exceeding ten dollars on each share for one instalment, and the instalments not less than thirty days apart, and if any stockholder or stockholders shall neglect or refuse to pay his or their respective instalment or instalments, or his or their respective share or shares so called for as aforesaid, the stock of such stockholder so neglecting or refusing, and all previous payments thereon shall be absolutely forfeited to the said company for the use and benefit of said company. When company authorized to commence business.

SEC. 5. The stock and property of the said company of whatever nature or kind the same may be, shall be deemed personal property, and shall be transferable on the books of the said company in such manner as shall be prescribed by the by-laws of the said corporation. Neglect to pay instalments forfeits stock.

SEC. 6. A dividend of the profits of the said company (except of so much thereof as shall be set apart for a surplus fund,) shall be made semi-annually by the said president and directors among the stockholders, but no dividend shall be made of any part of the capital stock of said company, and the books of the said company shall at all times be open for the inspection of the stockholders or any of them, and no transfer of stock shall be valid or effectual until such transfer shall be entered or registered Dividends to be divided semi-annually &c.

Stocks to declared personal property.

in a book or books to be kept by the president and directors for that purpose.

How company
may be dissol-
ved.

SEC. 7. The said company may be dissolved at a general meeting of the stockholders specially summoned for that purpose: *Provided*, At least three-fourths in value of the stockholders shall be present or represented therein, and shall vote in favor of such dissolution, and upon such dissolution, the directors for the time being, and the survivors and survivor of them shall be trustees for settling all the affairs of said company, disposing of its effects, recovering and paying its debts, and dividing the surplus among the stockholders in proportion to their respective interests in the stock, unless the stockholders at such general meeting shall appoint other persons not less than three nor more than five in number for such purpose in which case the person so appointed, the survivors or survivor of them shall be trustee and trustees for the purpose aforesaid.

Proviso.

How elections
conducted.

SEC. 8. All elections of directors of the said company shall be by ballot, and if the president and directors of the said company for the time being shall at any time neglect or refuse to call annual meetings for the election of directors as herein before prescribed, the stockholders or a majority of them may within the time in such case prescribed give notice and call meetings, and elect directors in like manner as if said directors had given notice as prescribed by this act, and if at any election of directors two or more stockholders shall receive an equal number of votes, then the directors for the time being shall by ballot determine which of such stockholders shall be director or directors, and on the death or resignation of any of the directors, the remaining directors shall choose from among the stockholders some fit person or persons to fill the vacancy, who shall hold his or their office or offices until the next annual election.

Failure to elect
at time ap-
pointed not to
dissolve co.

SEC. 9. In case it should happen that an election for directors should not be held or made on the day that pursuant to this act it ought to have been held and made, the corporation shall not for that cause be deemed dissolved, but it shall be lawful to hold such election at such other time as may be prescribed by the by-laws of said corporation after thirty days notice.

Persons nam-
ed in 1st sec-
tion to act as
commissioners
to receive
stock.

SEC. 10. The persons named in the first section of this act shall be commissioners for receiving subscriptions to the capital stock of said company, and shall open books for receiving such subscription at Plover in Portage county, under the directions of said commissioners or a majority of them on the last Tuesday of February in the year one thousand eight hundred and fifty, and shall keep open said books until five hundred shares of said stock shall be subscribed, and books shall also be opened at such other times and places as the said commissioners or a majority of them shall direct.

SEC. 11. This act is hereby declared to be a public act and

shall be construed favorable in all courts and places whatsoever.

MOSES M. STRONG,
Speaker of the Assembly,
 SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to incorporate the Fort Winnebago and Duck Creek Plank-Road Company. **Chap 258**

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. Henry Merrill, Benjamin L. Webb, H. McFarlane, H. Carpenter, M. Van Winter and LaFayette Hill, and such other persons as shall associate with them, and become stockholders pursuant to the provisions of this act, shall be and hereby are created and made a body corporate and politic, in fact and in name, by the name of "The President and Directors of the Fort Winnebago and Duck Creek Plank Road Company," and by that name they and their successors shall have perpetual succession, and shall be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all courts and places whatsoever, in all matters appertaining to said company. Created body corporate, &c.

SEC. 2. The said company have power to construct a plank road from the Portage canal, at a place where the state bridge will cross the same, on the end of the canal nearest the Wisconsin river, to the other end of the long crossway south of Duck Creek bridge on the military road in Columbia county, and the route of said road between the points above named shall be determined by the directors of said company when elected by the stockholders, and duly organized, and they shall have power in their discretion to construct said plank road along and upon any road, or highway, now or hereafter to be laid out, opened and established by the proper authorities, and of such width, and in such manner as the said directors shall determine, but there shall be one or more tracks upon the same, made of planks securely laid, so as to form a smooth and even surface. Power to construct plank road.

SEC. 3. The capital stock of said company shall not exceed the sum of ten thousand dollars to be divided into shares of twenty five dollars each, and shall be transferable in such manner as shall be prescribed in and by the by-laws of said company, and each stockholder shall be entitled to one vote for each and every share of stock held by them by proxy or in person. Amount of capital stock.

SEC. 4. The business and the concerns of said company shall be managed and conducted by five directors, who shall be stockholders, and shall be elected annually on the first Monday in December, at such place as a majority of the directors shall appoint, Business managed by five directors.

and shall hold their offices for one year and until others are chosen; and the said directors shall choose one of their number to be their president, and a majority of said directors shall be a quorum for the transaction of business.

Powers of directors.

SEC. 5. The said directors, or a majority of them, shall have power to make such by-laws, rules and regulations as to them shall appear necessary and proper for the management of the concern of said company, not inconsistent with the laws of this state, and also to appoint such agents and officers, as may be necessary to carry out the objects of this corporation.

Commissioners to open books.

SEC. 6. The persons named in the first section of this act, or a majority of them, shall be commissioners to open books and receive subscriptions to the capital stock of said company, at such times and places as they may deem expedient; and whenever two thousand dollars of such capital stock shall be subscribed for and distributed, and ten per cent paid thereon, said commissioners shall call a meeting of the stockholders of said company by giving two weeks public notice of the same for the purpose of electing the directors of said company, who shall hold their office until the first annual election: *Provided*, That if from any cause an election shall not be held at the regular time specified therefor, the same may be held at any other time on notice as aforesaid, and the directors shall be authorized to call in and require the payment of the balance of the stock subscribed for, in ten per cent instalments, as they progress in the construction of said road and as the interests of the company may require.

Proviso.

Company may enter upon lands.

SEC. 7. It shall and may be lawful for said company, their officers, engineers and agents, to enter upon any lands for the purpose of exploring, surveying and locating the route of said road, doing thereto no unnecessary damage, nor locating any such route through any orchard or garden, nor through any building or any fixtures or erections for (for) the purpose of trade or manufactures without permission from the owners thereof, and the said route shall be determined by said company. It shall be lawful for them their officers, agents, engineers, contractors and servants, at any time to enter upon, take possession of and use such lands to the width of four rods, and also to take from any land adjoining said road, gravel, stone or earth for the purpose of constructing or repairing said road, subject, however, to the payment of such compensation as the company may have agreed to pay therefor, or as shall be ascertained in the manner hereinafter directed and provided.

Parties may appoint appraisers.

SEC. 8. Whenever it shall be necessary for the said company to enter upon and occupy, for the purpose of making said road, any land upon which the same may be located, and the owner or owners of said lands shall refuse to permit such entry or occupation, and the parties cannot agree upon the compensation to be made for any injury that may be done to such land by such entry and occupation, it shall and may be lawful for the parties to appoint three disinterested persons to estimate such damage, who shall take an oath or affirmation fairly and impartially to estimate the same, and who shall reside within the county where the lands lies. The

expense incurred by said appraisal shall be defrayed by the said company, but if the parties cannot agree upon such persons, or if the persons so chosen shall not decide upon the matter, or if the owner of such land shall refuse or neglect to join in such appraisal within twenty days after the requisition for that purpose upon him made, or if any such owner shall be under legal disability or out of the state, then it shall be lawful for the judge of the district court of the district in which such lands lie, on application of either party, and at the costs and charges of said company to appoint three disinterested persons of said county, to view and examine said lands and estimate the injury or damage, if any in their judgment will be sustained, as aforesaid, by reason of the location of said road, and report the same under oath or affirmation to the district court of said county, which report being confirmed by said court, judgment shall be entered thereon. The said viewers shall be entitled to two dollars per day each for their services to be paid by said company in all cases where the damages shall be assessed to a greater amount than the sum that may have tendered by said company for the use of said land, or be paid by the owner or owners, in all cases where the assessed damages shall not be greater than the sum thus tendered: *Provided*, That in case the owner of such land shall be under any legal disability the costs of such assessment shall be paid by said company, and it shall be the duty of the appraisers in estimating such damages to take into consideration the advantages that may accrue to the owner of said lands from the construction of said road: *Provided further*, That either party may appeal to the said court within thirty days after such report may have been filed in the clerk's office, and such appeal shall be tried as other issue arising in said court: *And provided also*, That upon payment or tender of payment of the sum specified in the report of said viewers or appraisers to the owners of said lands or a deposit of the same for their benefit with the clerk of the district court of the county in which the land is situated, the said company may immediately take and use the same without awaiting the issue of said appeal.

Sec. 9. The said directors may place toll gates at any place on said road where they may determine: *Provided*, That no full toll gate shall embrace less than ten miles in length of said road; half toll gates half that length or five miles, and in proportion as aforesaid, until said gates shall take in the whole length of said road. Whenever ten consecutive miles of said road shall be completed it shall be lawful for the said directors to cause a toll-gate to be erected, or when five miles shall be constructed a half toll-gate, discretionary with the said directors, at which gates said company may demand and receive for full toll-gates, not exceeding two cents per mile for every vehicle, sled, sleigh, or carriage of any description drawn by two animals, and for every vehicle drawn by more than two animals, one half cent per mile for all additional animals; for every horse and rider, or for every vehicle drawn by one animal, one cent per mile; for every horse, mule or neat cattle, and half score of sheep or swine, one

Who exempt from paying toll. half cent per mile. No toll shall be exacted of any person while actually going to or returning from any religious meeting on Sunday, or from any person liable to do military duty while actually going to or returning from any military parade or review, at which their attendance shall be by law required; and the toll gatherer at any of said gates erected on said road, in pursuance of this act may detain and prevent from passing such gate any vehicle, carriage or animal, subject to toll, until the toll thereon is paid.

Punishment for injury.

SEC. 10. Any person who shall wilfully break or throw down any said gate on said road which may have been erected in pursuance of this act, or shall do any damages to said road, or forcibly or fraudulently pass any such gates without having paid the legal toll or to avoid the payment of the legal toll, shall with his, or her team, vehicle, or carriage or animal, turn out of said road or pass around such gate for the purpose of avoiding such toll, and return again on said road, shall for each offence forfeit a sum not exceeding ten dollars, to and for the use of said company, (and also for such damages of said company) and also for all damages of said company, to be recovered by said company in the name of the president and directors of the Fort Winnebago and Duck Creek plank road company in [an] action of trespass or trespass on the case according to law.

Directors liable for increase of capital stock.

SEC. 11. The debts and liabilities of said corporation shall not exceed in amount at any one time fifty per cent of its capital actually paid in, and if debts and liabilities shall at any time be incurred to a greater amount than is provided for, this section is provided for, the directors of said company shall be jointly and severally individually liable for such excess in addition to their other liabilities at law, as provided for in this act.

SEC. 12. If said company shall misuse or abuse any of the privileges hereby granted, the legislature may resume all and singular the rights and privileges vested in said company by this act, and may establish rules and regulations for the government of said company in relation to said road and the use of the same.

MOSES M. STRONG,

Speaker of Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 259 An act to vacate a part of the plat of the village of Hustisford in the county of Dodge.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Part of plat of Hustisford vacated.

SECTION 1. Lots eighty-three, ninety-eight, ninety-nine, one hundred and fourteen, one hundred and fifteen, and hundred and

thirty, in the village of Hustisford, in the county of Dodge, and also Griffith street in said village, are hereby vacated.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Peter W. Matts the sum therein named:

Chap 260

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to Peter W. Matts the sum of forty-five dollars in full for his attendance on the Supreme Court as sheriff, at the June term of said court 1849: Also the further sum of fifty-seven dollars and fifty cents for his attendance on the Supreme Court as sheriff at the January session of said court, 1850.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to Ephraim F. Ogden the sum therein named.

Chap 261

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to Ephraim F. Ogden the sum of one hundred and fifty dollars, being in full for three certain territorial scrips, Nos. 202, 225, and 226, being for fifty dollars each, by his surrendering and placing on file in the office of the secretary of state the said territorial scrip.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to appropriate to the county of Milwaukee the sum therein named.

Chap 262

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there be and hereby is appropriated out of Milwaukee

any money in the state treasury not otherwise appropriated, to the county of Milwaukee the sum of thirteen dollars and fifty cents, for moneys paid to Cramer and Curtis for publishing as per order of the governor, a description of Deutzhold the murderer.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 263

An act to appropriate to L. O. Shrader the sum therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

L. O. Shrader. SECTION 1. There is hereby appropriated to L. O. Shrader to be paid out of any money in the treasury not otherwise appropriated, the sum of fourteen dollars and sixty-six cents in full for his fees as clerk of the district court in the suit, the territory of Wisconsin vs. James D. Doty, John F. O'Neil, and Augustus Bird.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 264

An act to appropriate to the county of Racine the sum therein named.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows ;

Racine co. SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to the county of Racine the sum of four hundred [and] twenty-six dollars in full for board and clothing furnished state prisoners up to January 8, 1850.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to King & Fuller the sum therein named.

Chap 264,
1850

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated, to King & Fuller the sum of forty-five dollars in full for newspapers furnished the members of the present legislature.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to pay Bird & Mills the sum therein named.

Chap 265,
1850

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby appropriated out of the state treasury the sum of nine dollars and fifty cents to R. Bird and F. J. Mills out of any monies not otherwise appropriated for newspapers furnished during the present session of the legislature.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to James Morrison the sum therein named.

Chap 266,
1850

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to James Morrison post master at Madison, the sum of one thousand and ninety-five dollars and eighty-five cents for the postage of the senate and assembly during the present session.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 267 An act to amend the existing laws relating to the assessment and taxation of personal property.

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. That each individual subject to taxation, in giving in his personal property for assessment, shall be permitted to deduct from the same the sum of all just and bona fide debts and liabilities, owing by him to other persons, and he shall be assessed for the balance remaining if any there be.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 268 An act to organize a sixth judicial circuit and to provide for the election of a Circuit Judge therefor.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

What counties to constitute the sixth judicial circuit.

SECTION 1. From and after the first Monday in the month of July in the year one thousand eight hundred and fifty, the counties of Crawford, Chippewa, Bad Axe, Black River, St. Croix, and La Pointe shall be organized into and constitute a judicial circuit, to be known and designated as the sixth judicial circuit.

When courts to be holden.

SEC. 2. The circuit courts of the said sixth judicial circuit shall be holden at the times and places following, to wit:

In the county of Crawford on the first Monday in May and the second Monday in November of each year.

In the county of Bad Axe on the third Monday in May and the fourth Monday in November of each year.

In the county of St. Croix on the first Monday in August and the first Monday in February of each year.

In the county of La Pointe on the second Monday in September and the second Monday in March in each year.

When judge to be elected.

SEC. 3. An election for judge of the said sixth judicial [circuit,] shall be held on the first Monday in the month of July next, the election shall be conducted and the votes canvassed in the same manner as at general elections for state and county officers; the inspectors or judges of said election shall make returns to the clerk of the board of supervisors of their respective counties, immediately after the same are canvassed, and the said clerks of the board of supervisors shall file the same in their offices, and forthwith transmit a certified copy thereof to the governor of the state, at Madison.

Governor, Secretary of State and Treasurer

SEC. 4. On the first Monday in August or as soon as the returns from all the counties of said circuit are received by the governor, he together with the secretary of state and treasurer

proceed to canvass the same; the person having the highest number of votes cast in said circuit shall be the judge of the said sixth judicial circuit, and the governor shall transmit to the person so elected, a certificate of his election, under the seal of the state, and in case there shall be a tie, the governor shall forthwith proclaim the fact, and order a new election in said circuit.

to canvass votes, &c.

SEC. 5. The judge so elect shall, before he enter upon the duties of his office take and subscribe the oath or affirmation, "I do solemnly swear (or affirm as the case may be,) that I will support the constitution of the United States and of the state of Wisconsin, that I will administer justice without respect to persons, and will faithfully and impartially discharge the duties of the office of judge of the supreme and circuit courts of the state of Wisconsin, according to the best of my ability," which said oath shall be duly certified by the officer administering the same, and by said judge filed in the office of the secretary of state.

Oath of office.

SEC. 6. Said judge shall enter upon the duties of his office as soon as elected and qualified, and shall be a judge of the supreme [court] of the state of Wisconsin, shall have all the rights, privileges, powers, and jurisdiction of other judges of the supreme and circuit courts in all respects whatever; and shall perform like duties and receive like compensation, and shall hold his office for six years from the time he shall enter upon the duties of his said office, and until his successor is elected and qualified.

When to enter upon his duties

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 11, 1850.

NELSON DEWEY.

An act granting to Marcus Warren and Moses S. Calkins the right to keep and maintain a ferry across the Wisconsin river.

Chap 269

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. Marcus Warren and Moses S. Calkins, their heirs, executors, administrators, and assigns, shall have the exclusive right and privilege for the period of twenty years, of keeping and maintaining a ferry across the Wisconsin river on section number twelve, in town number nine, north of range number six, east, in the town of Westfield, in the county of Sauk.

To keep a ferry across Wis. river.

SEC. 2. The said ferry shall be subject to such regulations as other ferries are or may by law be subject, and the proprietors thereof shall be entitled to receive for crossing, any vehicle drawn by one or two horses or one yoke of oxen, twenty-five cents; for each additional horse or ox, ten cents; for man and horse, twenty cents; for cattle or horses in droves, five cents each: *Provided,* hogs and sheep shall not be charged more than three cents per head, and for foot passengers ten cents each.

Rates of toll.

SEC. 3. No ferry shall be licensed within one mile of the point where the ferry above provided shall be established.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 270

An act to permanently locate the county seat of Columbia county.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Vote to locate county seat of Columbia county

SECTION 1. That at the annual town meeting to be held in the county of Columbia on the first Tuesday of April 1850, the people of said county shall be and hereby are authorized to vote for the permanent location of the county seat of said county at Wyocena in said county; if said Wyocena shall receive a majority of all the votes cast on that subject at such town meetings, then said Wyocena shall be and remain the county seat of said county.

SEC. 2. If said Wyocena shall not receive a majority of the votes at such town meetings, then it shall be lawful for the people of said Columbia county to vote at the annual election, to be holden in November next, for the location of the county seat of said county at Fort Winnebago in said county, and if said Fort Winnebago shall receive a majority of all the votes cast on that subject, at such election, then said Fort Winnebago shall be and remain the county seat of said Columbia county.

Who entitled to vote.

SEC. 3. All white male persons of the age of twenty-one years and upwards, who shall have resided in said county of Columbia for ten days preceeding either of said elections herein provided for, with the bona fide intention of remaining therein, shall be entitled to vote on the subject of locating the county seat of said county.

SEC. 4. The votes cast on said subject shall be returned and canvassed in the same manner as votes cast at a general election and returned and canvassed.

SEC. 5. The votes shall be cast by ballot. At the town meetings above mentioned, the ballots shall have written or printed on them the words "For Wyocena," or "Against Wyocena," at the election in November next, the ballots shall have written or printed on them "For Fort Winnebago," or "Against Fort Winnebago."

SEC. 6. The proprietors of the village where the said county seat may be located, shall make to the county a warrantee deed of land sufficient to build all county buildings on and suitable for the same, to be selected by the board of supervisors of said county.

Proprietors of village to build county buildings.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to incorporate the Globe Insurance Company in the village of Southport Chap 271

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows :

SECTION 1. That all such persons as shall become stockholders to the capital stock hereinafter mentioned, their successors and assigns, shall be, and are hereby constituted and made a body politic and corporate, by the name and style of the Globe Insurance Company, and the office of said company shall be at Southport in the county of Racine in this state. Persons being stockholders declared body corporate, & c.

SEC. 2. The capital stock of said company shall not exceed three hundred thousand dollars, and shall be divided into shares of fifty dollars each, and there shall be paid into the treasury of said corporation by each subscriber to the capital stock, at the time of subscription, an instalment of five per cent. on the stock by him subscribed, the remainder to be paid or amply secured to be paid, on real estate or other securities as the commissioners hereinafter named shall deem sufficient, and until two thousand shares of said stock is subscribed for and paid, or secured to be paid as aforesaid, said company shall not commence business. Limit to capital stock, & c.

SEC. 3. The stock, property, and affairs of said corporation shall be managed and conducted by fifteen directors, who shall divide themselves into three classes. The term of the first class shall expire on the first Monday of February succeeding their election, or as soon thereafter as others are elected in their stead, the term of the following classes shall expire successively on the first Monday of February of the following year, or as soon thereafter as others are elected in their stead; the annual election for five directors shall be held on the first Monday of February in each year, at such time and place in Southport as a majority of directors shall appoint, of which notice shall be given in some public newspaper published and circulating in the county of Racine, at least ten days previous to said election, said election shall be held under the direction of three stockholders appointed by the directors, and directors shall be elected by a plurality of the votes of the stockholders and their proxies, allowing one vote for every share of stock. Affairs of corporation to be managed by directors.

SEC. 4. It shall be the duty of the directors on organizing the company, and annually thereafter, to choose out of their number a president, and they may also elect in the same manner a vice president, and the vice president shall perform the duties of the president in case of his death, absence, or inability to act. Election of directors.

SEC. 5. Champion I. Hutchenson, Sereno Fisk, George C. Many, Theodore Newell, and David Crosit shall be commissioners to receive subscriptions to the capital stock of said company, and when said stock shall be subscribed and paid, or secured to be paid as mentioned in the second section of this act, the commissioners shall call a meeting of the stockholders by an advertisement published at least ten days previously in some newspaper published in the county of Racine, stating the time and place at which such meeting of the stockholders shall be held, and shall by ballot elect the first directors of said company; said commissioners Directors to choose president, & c.

Commissioner's to receive subscriptions, & c.

shall act as inspectors of said election, and if there shall be any deaths [or] resignations among the commissioners above appointed, then the remainder shall elect others to supply the vacancies so occasioned.

Powers of company.

SEC. 6. The said company shall have power to make insurance upon vessels, freights, goods, wares, and merchandize, and to make all and every insurance connected with marine risks and the risks of transportation and inland navigation, also upon dwelling houses, stores, and all kinds of buildings, household furniture, and other property against loss or damage by fire, and also all and every insurance appertaining to or connected with life insurance, and to cause themselves to be insured when deemed expedient.

Policies, contracts & c. how made.

SEC. 7. All policies of insurance or other contracts authorized by this act which shall be made and entered into by this corporation, may be with or without seal thereof, and shall be subscribed by the president or vice president and attested by the secretary, and being so signed, executed, and attested shall be binding, and obligatory upon said corporation.

Company may take mortgages on real estate as security, & c.

SEC. 8. It shall and may be lawful for the said company to take and hold any real estate or securities mortgaged or pledged to the said company to secure the payment of any debt which may be contracted with the said company, and to foreclose the same, and to purchase on sales made by virtue of any judgment at law or by any order or decree of any court of equity or any other legal proceedings, or otherwise to receive and take any real or personal estate in payment, or towards satisfaction of any debt previously contracted and due to the said company, and to hold the same until they can conveniently sell and convert the same into money, or other personal property, and also to invest the capital stock or so much of the surplus profits of the said company as they may deem fit in such manner as the directors shall decide, and call in and re-invest the same so often as it shall be deemed necessary for the interest of the said company.

Capital stock transferable.

SEC. 9. The capital stock of said corporation shall be transferable according to the rules and regulations prescribed by the directors, and every subscriber of any share or shares of said stock, who shall neglect to pay the instalments aforesaid, or to secure the residue of the share or shares by him subscribed, shall forfeit the same to the said corporation, and all payments made thereon, and all profits that may have arisen thereon.

How and what dividends to be made.

SEC. 10. It shall and may be lawful for the directors of said company to make a dividend of so much of the profits of the said company as shall appear advisable, but the dividend shall not at any time exceed the amount of clear profits made by the company, but the capital stock shall be and remain unpaid and if the said directors shall at any time knowingly make a dividend of the capital aforesaid, they shall be individually liable for the proportion of the stock so divided, and an action of debt may be brought against them or any of them, in any court of record in this state by any creditor of said company, and each director present when

such dividend shall be declared, shall be adjudged consenting thereto, unless he forthwith protest against such dividend, and request his protest to be entered on the minutes of the company, and give further notice to the stockholders of the declaring of such dividend, by advertising his said protest within ten days thereafter in a newspaper published and circulating in the county of Racine.

SEC. 11. Nothing contained in this act shall be construed to authorize the business of banking.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to amend an act entitled "an act to incorporate the Merchants Mutual Insurance company." Chap 272

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

SECTION 1. That the Merchants Mutual Insurance Company may receive notes for premiums in advance, as provided in the eleventh section of the act to which this act is amendatory: *Provided*, That the amount of such notes so received, together with the nett amount of earned premiums of the said company, over and above all debts and losses, shall not exceed the sum of two hundred thousand dollars; the trustees may at their discretion however, at the time of making up the annual statements of said company, reduce the amount of said notes, so that the amount of such notes retained and earned premiums shall not exceed the sum of one hundred thousand dollars; and the said trustees shall have power at any time, when in their discretion they see fit to surrender any such advance note, by paying the proper rate of interest thereon, to the time of such surrender: *Provided*, That not less than the amount of one hundred thousand dollars be maintained in manner aforesaid, and the makers of any such notes remaining on hand and unpaid at the time of any loss or losses over and above the other resources of the said company, shall be liable to pay the amount of such notes, or so much pro-rata thereon as may be necessary to pay such loss or losses, and the amount so paid on such notes over and above the amount due for premiums on insurance already had may be re-imbursed out of the future earnings of the company.

SEC. 2. The said company shall have power in their discretion to make any and all insurances which by law they are or may hereafter be authorized to make to any person or persons with whom they may agree to that effect for a specific premium or rate of premium, without giving to the insured any interest in the profits, premiums, or earnings of the said company, in the same manner as insurance companies other than mutual insurance compa-

nies are accustomed to do ; and in all such cases the said company may issue special policies of such insurance in the usual forms, issued by insurance companies other than mutual insurance companies ; and in all such cases the insured shall not become members of the said company, nor be in any wise entitled to any share of the profits, premiums, or earnings, nor in any wise liable for the losses, debts, or liabilities of the said company ; and all premiums received for such insurance shall be passed to the general credit of the said company, and all losses growing out of said special policies shall be paid in like manner as losses under the ordinary policies of the company. All stockholders or persons having notes in said company, shall be liable to any person or persons receiving special insurances as provided in this section in the same manner as in the original charter.

Company to report to legislature,

SEC. 3. The directors of said company shall lay before the legislature of the state of Wisconsin on the first Monday of their annual session in each year, a general statement, showing the number and kind of policies issued, the amount of premiums or insurances received during the year, also a general statement of the amount of premium notes on hand, and against whom ; also, what notes have been surrendered and cancelled, and such other facts as shall exhibit the actual situation and condition of said company in all respects.

SEC. 4. The act incorporating the said company and the several acts amendatory of the same, shall continue in force until amended altered or repealed by the legislature of Wisconsin.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 9, 1850.

NELSON DEWEY.

Chap 273 An act to authorize the clerks of the boards of supervisors and clerks of the boards of county commissioners to call to their aid a board of canvassers to canvass the votes cast for county officers in the several counties on the sixth day of November, A. D. 1849.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows :

Board of canvassers may be called.

SECTION 1. The clerks of the several boards of county supervisors and the clerks of the several boards of county commissioners, in all those counties in which the votes for county officers on the sixth day of November, A. D. 1849 were not canvassed, shall and they are hereby authorized and empowered to call to their aid two justices of the peace, who together with said clerk shall constitute a board of canvassers, in their respective counties, and said board of canvassers shall proceed without delay to canvass said votes cast for county officers.

SEC. 2. The canvass so made, and the declaration, and state-

ment thereof made by the said boards of canvassers shall be deemed to possess in law the same validity, virtue, and effect, as if the said votes had been canvassed at the time prescribed by law. Report of canvassers deemed valid.

SEC. 3. The persons receiving a majority of the votes cast shall be entitled to a certificate of their election, and shall within twenty days after the said canvass be entitled to take the oath of office, and give the official bond as is required by law, and may enter upon the discharge of their duties the same as though the canvass had taken place as required by the election law. Persons having a majority enter upon duties of office, &c.

SEC. 4. The secretary of state shall cause this law to be published immediately after its approval by the governor.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act granting to James B. Miller the right to keep and maintain a ferry across the Wisconsin river at Dekora in the county of Columbia.

Chap 274

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That James B. Miller of Dekora, his heirs, executors, administrators, and assigns, shall have the exclusive right to keep and maintain a ferry across the Wisconsin river, for the period of ten years from and after the passage of this act, at Dekora, in the county of Columbia, upon and from such points on sections numbered five, (5,) and six, (6,) in town eleven, range nine, east, as the said James B. Miller shall deem expedient and convenient. Authorized to keep ferry.

SEC. 2. Said ferry shall be subject to the same rules and regulations as to the rates of toll and manner of conducting the same, as ferries now are or may hereafter be by general law of this state regulating ferries generally. Rates of toll.

SEC. 3. That the said James B. Miller shall be required to keep and maintain at all times a ferry, adapted to the wants of the public.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 11, 1850.

NELSON DEWEY.

Chap 275 An act to amend an act entitled an act for the Improvement of the Fox and Wisconsin rivers, and connecting the same by a canal.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Act to reserve lands repealed,

SECTION 1. That all sections and parts of sections of the above entitled act, authorizing the board of public works to reserve to the state, lands valuable for hydraulic, commercial, or other purposes, and upon which any settler had a settlement and claim, prior to the reservation made by said board of public works is hereby repealed: *Provided*, That this amendment of said act shall not be construed to apply to any water power created by the construction of the canal, or the improvement of the navigation of the Fox and Wisconsin rivers, and so much land adjoining the same as the board of public works may deem necessary to form a part of said water power.

Proviso,

SEC. 2. All settlers resident upon any of the lands mentioned in the foregoing section, shall be entitled to all the privileges and benefits extended by the act to provide for the improvement of the Fox and Wisconsin rivers to settlers on other lands therein specified.

Settlers entitled to certain rights.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 9, 1850:

NELSON DEWEY.

Chap 276 An act to authorize Plank and Turnpike road companies to borrow money upon the stock of said Companies.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Plank road companies may borrow money.

SECTION 1. That any plank road company in the state of Wisconsin is hereby authorized and empowered to borrow money upon a mortgage or pledge of the stock of such company, in such manner as shall be prescribed in and by the by-laws of said company; such mortgage or pledge to be recorded in the register's office of the county in which the office of said company shall be, and no act done, nor shall the neglect of any act or thing required to be done by the charter of any such [company] in any way affect, or impair the rights of the person or persons holding said mortgage or pledge, duly executed by the president and secretary of said company and recorded as aforesaid.

MOSES M. STRONG,
Speaker of the Assembly.
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act for the relief of Joshua F. Cox.

Chap 277

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That in consideration that Joshua F. Cox has contracted to build and complete the improvements designated by the Board of Public Works, in the Rapids of Fox river, at Depere, in the county of Brown, free of all expense to the state, there is hereby granted and released to the said Cox, his heirs and assigns, forever, the free use of all the surplus water for hydraulic power created by the dam across said Fox river at that place, or which may be hereafter created by raising of said dam, as stipulated in the contract hereinafter mentioned, upon condition that the said Cox, his heirs, or assigns, shall well and truly complete all and singular the work by him agreed to be done and completed, in the contract made and concluded on the twelfth day of May in the year of our Lord one thousand eight hundred and forty-nine, between the said Cox of the one part, and the Board of Public Works of the other part; and shall also forever well and truly keep and maintain the dam, lock and canal, of the size, height and length specified in the aforesaid contract, free of all cost and expense to the state, and shall at all times pass and re-pass all boats, vessels, rafts and other crafts, through said lock and canal, free of all charges for toll or otherwise, subject to such regulations as may be prescribed by this state, or its authorized agents relating to the passage thereof; and in case the said Cox, or those claiming under him, should at any time fail to comply with the provisions of this section, the rights hereby granted shall be forfeited. Reasonable time to be allowed said Cox to make at all times the necessary repairs, is hereby granted to the said Cox or those claiming under him.

Grant of right to water power to J. F. Cox at Depere, &c.

Sec. 2. The right is hereby reserved to state to raise the said dam and enlarge the said lock and canal, at any time hereafter, at their discretion.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Et. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to confer criminal jurisdiction upon the Justice of the Peace in the 5th ward of the city of Milwaukee, in certain cases. Chap 278

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. The justice of the peace in the fifth ward of the city of Milwaukee, in the state of Wisconsin, shall have concurrent jurisdiction with the police justice of said city on all criminal offences committed within the limits of said ward, of which the said police justice has now, by law, jurisdiction; and that all

Criminal jurisdiction conferred on justice in 5th ward, Milwaukee.

laws now in force prescribing the mode of proceeding in such cases before said police justice, shall be applicable to and control the proceedings in criminal cases before the said justice of the said fifth ward when exercising criminal jurisdiction therein. This act to take effect from and after its publication.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 279 An act to provide for the laying out of [a] state road therein named.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Commission- SECTION 1. Abraham Brawley, John Strong and George Moore
ers appointed. are hereby appointed commissioners to lay out a state road from
Chaurette in Portage county to Green Bay in Brown county to be
a public highway for the use of the state: *Provided*. That no
part of the expenses of laying out or surveying said road shall be
paid out of the state treasury.

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

Chap 280 An act to authorize the levy of a special tax in the third ward of the city of Milwaukee.

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

May levy spe- SECTION 1. That the aldermen of the third ward of the city
cial tax of Milwaukee, be, and are hereby authorized to levy and collect
a special tax on city lots lying in the marsh south of Washington
avenue, and east of East Water street, in said ward; said tax to
be applied to grading, filling or constructing new streets in said
ward in front of said lots: *Provided*. That the special tax so to
be levied and collected shall not exceed three-fourths of the cost
of (the) grading, filling or constructing of said streets, and that the
said tax shall be apportioned upon said lots according to their res-
pective fronts on said streets.

How expenses Sec. 2. *Streets or part of streets that are now filled or that
paid. may hereafter be filled, agreeable to the provisions of the preced-
ing section, shall be graded, gravelled and paved at the expense of
the ward, the same as other streets are now done.*

Act repealed. Sec. 3. Section one of an act entitled an act relating to certain

streets in the city of Milwaukee and all other acts that contravene the provisions of this act are hereby repealed.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to appropriate to James Morrison the sum therein named,

Chap 281

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to James Morrison J. Morrison. out of any money in the treasury not otherwise appropriated the sum of thirty dollars for one large walnut book case furnished the office of the superintendent of public instruction.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

An act to provide for the safe keeping and maintainance of state prisoners.

Chap 282

The People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. The governor, treasurer and secretary of state, are hereby constituted a board of commissioners to lease a temporary states prison, in which to place all the state prisoners that now are, or that hereafter may be convicted of any offence. the punishment of which is confinement in the state prison, until a proper state prison shall be erected in this state

Commissioners to lease a temporary place for state prisoners.

SEC. 2. As soon as the said commissioners are ready to have the state prisoners removed to said penitentiary, the governor shall issue his proclamation to all sheriffs, jailors, and other officers having custody of any state prisoners. forthwith to convey them to the said penitentiary and deliver them up to the person, or persons, authorized to receive and take charge of said prisoners, and the said officers are hereby required forthwith to convey any prisoners in their custody to said prison and deliver them up forthwith.

How prisoners to be removed, &c.

SEC. 3. The said board shall, as soon as they may find it necessary, appoint a suitable and competent person as warden of said penitentiary, who shall, before he enters upon the duties of his office, take and subscribe an oath to support the constitution of the state of Wisconsin and faithfully to discharge the duties of warden of the penitentiary; and he shall also execute a bond in

Board to appoint warden.

the amount required by the said commissioners, with three or more securities, to be approved of by said commissioners, for the faithful performance of all the duties required of him by law, which said oath and bond shall be filed in the office of the secretary of state.

Commissioners to direct manner of employing prisoners.

SEC. 4. The said commissioners shall prescribe and direct in what manner the said persons shall be kept, and worked in said penitentiary, or they may be worked outside of said prison in the day time, in such manner and under such regulations as the commissioners may direct, and they shall also provide for the proper sustenance of said prisoners.

Appropriation.

SEC. 5. The said board shall have, and there is hereby appropriated to them out of any money in the treasury, the sum of three thousand dollars as a contingent fund for the purpose of paying the expense of transporting said prisoners to said prison, and to pay for the sustenance and clothing said prisoners.

Compensation

SEC. 6. Said commissioners and warden, shall each receive for their services such sum as the legislature may hereafter direct.

To report.

SEC. 7. Said commissioners shall report to each annual session of the legislature, all their doings in relation to their several duties, as above provided.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

Chap 283

An act to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal."

THE People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

May consider bills for water powers.

SECTION 1. The Board of Public Works are hereby authorized and empowered in any future lettings of contracts for the improvement of the Fox and Wisconsin rivers to consider bids made by any person or persons, for improvements which will create a water power, and when such person or persons offer to perform, or perform and maintain the work in consideration of the granting by the state to him or them, his or their assigns, forever, the whole or a part of such water power: *Provided*, That before such bid is accepted and the contracts entered into, it shall receive the approval of the governor.

Proviso.

Rights conferred when bids accepted.

SEC. 2. Should such bids be accepted, and such approval be given, the Board of Works shall on the delivery of the works to the state, in accordance with the contract relinquish to such person or persons, his or their heirs or assigns, all such water to his or their exclusive right and use forever, and should the contract provide for the maintaining of such improvements, such person or persons shall before entering into the possession of such water

give good and sufficient security for the fulfilment of the contract: *Provided*, That such water shall be used so as not to interfere with, hinder, or obstruct the navigation of said river. Provided

SEC 3: When lettings have been made for the improvement of said rivers, whereby a water power is created, the Board of Works may relinquish to the person or persons who have performed the same, all or a part of such power as a consideration in full or in part for such performance or maintenance of such improvement, or for both: *Provided*, That such relinquishment shall also receive the approval of the governor and be made after receiving security as provided in section two. Board to coin- quish, &c.

SEC. 4. So much of the Revised Statutes as conflict with this act is hereby repealed,

MOSES M. STRONG,
Speaker of the Assembly,
SAMUEL W. BEALL
Lt. Governor, and Pres't of the Senate.

Approved February 9, 1850.

NELSON DEWEY.

An act to restrain dogs while running at large.

Chap 284

THE People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

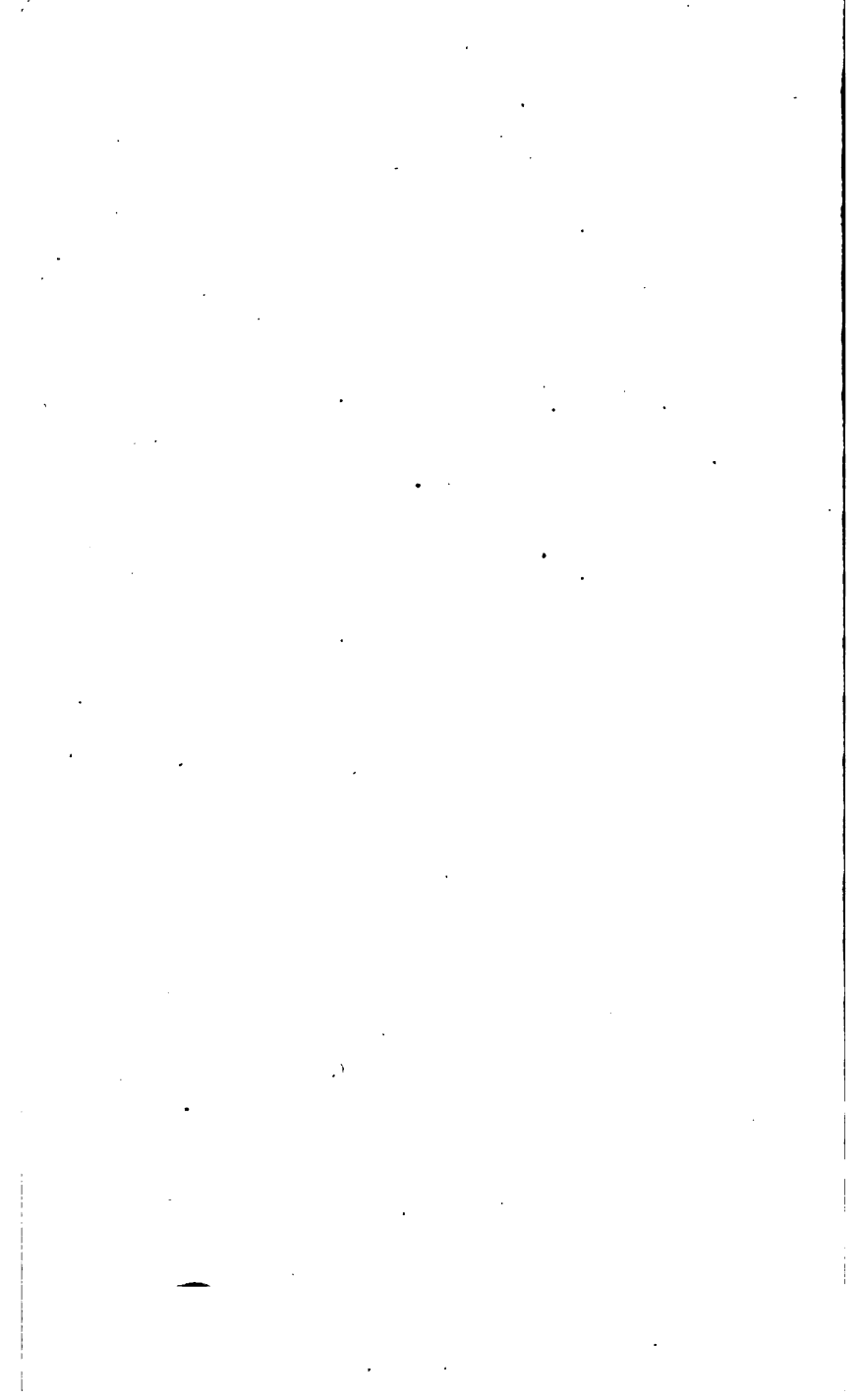
SECTION 1. Any person may kill any dog or dogs that may suddenly assault him while he is peaceably walking or riding, any where out of the enclosure of the owner or keeper of such dog, and any person may kill any dog that shall be found out of the enclosure or immediate care of the owner or keeper, worrying, wounding or killing any sheep or lambs. May kill dogs.

SEC. 2. Any person injured by any dog in the manner set forth in this act, may give notice to the owner or keeper of the dog done, and if after such notice such dog shall worry, wound or kill any neat cattle, sheep or lambs, or do any other mischief or injury, the owner or keeper shall be liable to pay to the person injured thereby treble damages, to be recovered with costs by action of debt. Penalty for in jury.

MOSES M. STRONG,
Speaker of the Assembly.
SAMUEL W. BEALL,
Lt. Governor and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.



RESOLVES

PASSED BY THE

LEGISLATIVE ASSEMBLY.

Resolutions relative to certain moneys due from the United States to the State of Wisconsin. Chap. 1.

Resolved by the Senate and Assembly of the State of Wisconsin, That the governor of this state is hereby authorized to apply for and receive from the Treasury Department of the United States, the amount due this state from the United States, on account of bonds and scrip which were authorized by the act of congress of August, 1842, to be paid by the United States, which have been paid out of the territorial treasury and cancelled by the legislature.

Resolved, That for the purpose of carrying out the foregoing resolution, the governor is hereby authorized to appoint any one of the representatives of this state, in congress, to prosecute the foregoing claim of this state against the United States, to final adjustment, and it is hereby made the duty of the governor, upon the receipt of any money from the United States by virtue of these resolutions, to pay the same to the state treasurer.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate,

Adopted, January 29, 1850.

NELSON DEWEY.

Joint Resolution relative to a survey of the Upper Wisconsin river.

Chap. 2.

Resolved by the Senate and Assembly of the State of Wisconsin, That the engineer on the improvement of the Fox and Wisconsin rivers, be, and he is hereby directed, previous to the next session of the legislature, to make a survey of the several rapids in the Wisconsin river, between Point Bassee and the "Beaulieux Rapids," and to make and submit to the legislature at its next session a plan and estimate for the improvement of said rapids, upon the best plan for the downward navigation of said

river for lumber rafts : *Provided*, That no compensation shall be paid by the state for such services, but the necessary expenses of said engineer, for assistants, &c., shall be paid out of the one-sixth of the sales of the land appropriated for the improvement of the Fox and Wisconsin rivers, which by the fifth section of the act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the (the) same by a canal, approved August 8th, 1848, (Revised Statutes, page 766,) are set apart for the improvement of the Wisconsin river.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

MEMORIALS

PASSED BY THE

LEGISLATIVE ASSEMBLY.

A Memorial to the Post Master General of the United States in relation to extending a mail route and increasing the service of the same. Chap. 1.

THE People of the State of Wisconsin represented in Senate and Assembly,

The memorial of the legislature of the state of Wisconsin respectfully represents, that it would materially benefit the rapidly increasing population of Portage county, by increasing the service of the southern mail from Winnebago Portage, in Columbia county, to Plover in Portage county, to a weekly mail, and by extending said mail to Wausau in said Portage county, a distance of forty miles. Your memorialists would therefore urge the necessity of immediately establishing a weekly mail from Winnebago Portage, in Columbia county, via. Grand Rapids, Plover, Stevens Point, Little Bull Falls, to Wausau, in said Portage county.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

A Memorial to the Congress of the United States in relation to the establishment of a mail route. Chap. 2.

THE People of the State of Wisconsin represented in Senate and Assembly

The memorial of the legislature of the state of Wisconsin respectfully represents: That the county of Richland, containing a population of not less than one thousand persons, has not within its limits a mail route, nor post office: That the population of said county is rapidly increasing, and that the citizens suffer great inconvenience and loss in going many miles to another county for mail matter. Your memorialists would also urge upon your honorable body the necessity of immediately establishing a mail route from Muscoda in Grant county via. Richmond, Ash Creek, Wil-

low river and Richland city, in Richland county, and Honey creek in Sauk county, to Sauk village and Adams the county seat of said Sauk county, and Allens Point at the Narrows of the Dells, the whole distance not exceeding seventy-five miles.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 29, 1850.

NELSON DEWEY.

Chap. 3. A Memorial to Congress asking for a survey of the Menominee purchase and for the right of pre-emption to settlers.

To the Honorable the Senate and House of Representatives of the United States:

A memorial of the Senate and Assembly of the State of Wisconsin, respectfully represent:

That since the late treaty on the part of the general government with the Menominee Indians for that portion of country lying north of the Fox river, and on the east and west sides of the Wisconsin river, the settlement upon said tract has been almost without precedence, particularly on that portion adjacent to the Fox and Wisconsin improvement; and your memorialists, for the convenience of the people residing within the limits referred to, and for the prosperity of northern Wisconsin, are desirous that the United States survey of that tract should be made at as early a day as practicable, with the view that the settler may come into the quiet and peaceable possession of his home and improvements, and to prevent the strife and contention that must necessarily grow out of delays in the accomplishment of this important work; and your memorialists, would further urge as a reason why early action should be had upon this subject, is to expedite the improvement of the Fox and Wisconsin rivers by a selection and sale of the odd numbered sections along the north line of said improvements, agreeably with the terms of the donation of lands made by congress in the year 1846, for the furtherance of that object; and your memorialists would further represent, that the fostering care which the general government has so liberally and so promptly extended to all those who have led the way into the unsettled portions of our western country should be proffered at this time to settlers upon said tract, and that they should have the benefit of the right of pre-emption, as well upon the unsurveyed, as upon the surveyed land not in market.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved January 29, 1850.

NELSON DEWEY.

A Memorial asking for an appropriation of land to aid in the construction of a Rail Road from Milwaukee to the Mississippi river. Chap. 4.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled:

The Senate and Assembly of the State of Wisconsin most respectfully represent: That the interests of the state of Wisconsin require the construction of a rail road from the city of Milwaukee to the Mississippi river, and that the construction of such a road would be of great utility to the government of the United States: They do, therefore, most respectfully ask that a quantity of land, sufficient to construct said road, or at least to aid therein, be granted to the state of Wisconsin by appropriation, to aid in the construction of a rail road from the Mississippi river to the city of Milwaukee.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, January 29, 1850.

NELSON DEWEY.

A Memorial to Congress in relation to an appropriation for a harbor at Port Washington. Chap. 5.

The Memorial of the Legislature of the State of Wisconsin respectfully sheweth:

That the large and rapidly increasing population of the county of Washington, lying directly upon the western shore of Lake Michigan, and of the counties of Dodge, and Columbia, situated in the interior of the state, is now entirely dependent for harbor facilities upon the harbors at Milwaukee and Green Bay. That the entire lake coast north of Milwaukee is now without a harbor of any kind, and that the agricultural and commercial interests of this large extent of country imperiously demand the construction of safe and commodious harbor at the town of Port Washington the natural commercial point upon which a large extent of country is dependent.

Your memorialists would therefore pray your honorable body to make an immediate appropriation for a harbor at Port Washington.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 6. A Memorial to Congress asking for an appropriation for the improvement of the harbor at the mouth of the Manitowoc river on lake Michigan.

To the Honorable Senate and House of Representatives of the United States in Congress assembled :

The Senate and Assembly of the State of Wisconsin most respectfully represent: That the best interests of the commerce of the great lakes, and of the people of a large portion of the state of Wisconsin, require an appropriation for the improvement of the harbor at the mouth of the Manitowoc river, and that said improvement would be of great public utility: They do therefore most respectfully ask that an appropriation of a sufficient sum to improve said harbor, or at least to aid in the same, be granted by congress at its present session, and will ever pray.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 1, 1850.

NELSON DEWEY.

Chap. 7. A Memorial to the Congress of the United States in relation to certain mail routes.

The memorial of the legislature of the state of Wisconsin respectfully represents: That the interest of the citizens of Walworth, Rock, Jefferson, and Dane counties, residing on the route between Whitewater and Madison, (the capitol of the state,) would be greatly promoted by a continuation of the tri-weekly mail route already established from Milwaukee to Whitewater.

Your memorialists ask that said route may be continued from Whitewater to Fort Atkinson, thence by Oakland post office to Cambridge in Dane county, thence by Door Creek post office and Cottage Grove, to Madison. Such route in the opinion of your memorialists would not become a charge upon the department, but instead thereof a source of revenue, the distance being about forty-one miles.

Your memorialists further represent, that the interests of the country require the establishment of a mail route from Mukwonago in the county of Waukesha, by Troy Lake, Troy Centre, Adams, and Round Prairie to Whitewater in the county of Walworth. They therefore respectfully pray that said route may be established by law, and a mail carried on said route twice per week, and as in duty bound your memorialists will ever pray.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate,

Approved, February 4, 1850.

NELSON DEWEY.

A Memorial to the Congress of the United States in relation to the establishment of a mail route. Chap. 8.

THE People of the State of Wisconsin represented in Senate and Assembly:

The memorial of the legislature of the state of Wisconsin respectfully sheweth: That there is no direct mail communication from the village of Waukesha, Waukesha county, by which the people of the northern part of the county, and the adjoining county of Washington on the north, can receive advantage except by the way of Milwaukee, by which mail matter is delayed from one to two weeks in reaching a distance of a dozen or two miles from the village of Waukesha.

Your memorialists, therefore, urge upon your honorable body the necessity of establishing a mail route from Waukesha village to West Bend, Washington county, north by the way of the east line of the town of Lisbon, Waukesha county, on the present road from Waukesha to the village of West Bend in Washington county, distance not over thirty-five miles.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 5, 1850.

NELSON DEWEY.

Memorial to Congress on the subject of a light house and harbor improvements at Port Uloa. Chap. 9.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the Senate and Assembly of the State of Wisconsin in Legislature assembled, respectfully sheweth:

That Port Uloa is situated on the western shore of Lake Michigan, twenty-five miles north of Milwaukee in the county of Washington: That it has a population of two hundred inhabitants, and that its commerce is fast increasing: That within a distance of four miles inland there are four villages, with a population in the aggregate of fifteen hundred inhabitants, and that in the vicinity of those inland villages there is water power sufficient to propel one hundred run-of-stone, which water power is partially improved.

Your memorialists further state that good roads are now being made from Port Uloa through the county of Washington into the counties of Dodge and Fond du Lac, thereby making Port Uloa the nearest eligible point upon Lake Michigan for the exportation of the iron manufactured in the counties of Dodge and Washington, and also for the exportation of the produce from a large part of the counties of Dodge, Washington, Fond du Lac, Marquette, and Columbia.

Your memorialists therefore request your honorable bodies to

appropriate a sufficient sum to build a light house and improve the harbor at Port Uloa.

MOSES M. STRONG,
Speaker of the Assembly,
 SAMUEL W. BEALL,
Lt. Governor, and President of the Senate.

Approved, February 5, 1850.

NELSON DEWEY.

Chap. 10. Memorial to Congress for an appropriation for a harbor at Twin Rivers on Lake Michigan.

The memorial of the Senate and Assembly of the State of Wisconsin to the Congress of the United States, respectfully represents:

That for a distance of over 200 miles on the western shore of Lake Michigan, between the port of Green Bay and that of Milwaukee, there is no harbor which affords protection and shelter to the numerous vessels plying on the waters of Lake Michigan, and engaged in the transportation of produce, merchandize, &c., between the State of Wisconsin and the different eastern States; and that in consequence of the want of a safe and convenient harbor on the portion of the coast on Lake Michigan, above referred to, vessels and the lives of their crews, and the immense amount of property entrusted to their care, are subject to continual danger, and placed in jeopardy.

During the heavy gales, which are of frequent occurrence on Lake Michigan, vessels exposed to the fury of such gales, on such part of said coast, are forced to the disagreeable alternative, either of running into the distant port of Milwaukee, of seeking shelter among the archipelago at the northern extremity of Lake Michigan or of weathering out the storm and thereby running the risk of shipwreck.

A large number of vessels and steamers are engaged in the important and daily increasing commerce of the north-eastern portion of our State, comprising the counties of Brown and Manitowoc, and we rely upon the fostering care of the General Government for the better security and further advancement of our marine and commercial interests.

The most suitable point for the location of a harbor on that part of the coast above referred to, is admitted by all whose opinion and judgment with regard to nautical matters, can be relied on and are entitled to respect and consideration, to be at the mouth of "Twin Rivers," where a flourishing commercial town has sprung up within the past four years; at the mouth of said rivers there is at the present time a good natural harbor which admits of the entrance of vessels of a small draft of water during a large portion of the season, when the navigation of the Lake is open. Its advantages are such that it can be improved, (considering the importance of the work) at comparatively a very small cost; building

materials of every description are close at hand, and easily and cheaply obtained.

Your memorialists, therefore, for the reasons above set forth, respectfully ask of your honorable body, during its present session, an appropriation for the construction of a harbor at the mouth of the Twin Rivers on Lake Michigan, and your memorialists will &c:

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

Memorial to Congress for an appropriation of land to aid in the construction of a plank road. Chap. 11.

The memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

That extensive tracts of fertile land between the town of Manitowoc in Manitowoc county, and the town of Neenah in Winnebago county, lie unproductive and unclaimed, in consequence of the want of good and sufficient facilities of communication which retards the settlement and impairs the value of said lands.

Your memorialists therefore deem it advisable that a good and permanent plank road communication be opened between these two points, which would increase the value of said lands, cause the country now almost a wilderness, to be rapidly settled and materially assist in developing the resources of this interesting portion of our state, and as the means of the citizens of said counties for the construction of such a road are limited, and entirely inadequate for the successful completion of such an enterprise.

Your memorialists would therefore ask of your honorable body, a suitable appropriation of land lying in the counties aforesaid, for the survey and speedy construction of said road, and your memorialists, &c.

MOSES M. STRONG.

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

A memorial to the Congress of the United States in relation to a mail route. Chap. 12.

THE People of the State of Wisconsin represented in Senate and Assembly.

The memorial of the legislature of the State of Wisconsin respectfully represents:

SECTION 1. The almost unprecedented increase of population in the counties of Dodge, Marquette and Portage, render the establishment of a mail route through said counties a matter of the most urgent necessity. Therefore,

SECTION 2. Your memorialists would urge upon your honorable body the propriety of establishing a mail route with a weekly mail over the same, from Fox Lake via Lake Emily in Dodge county, Grandville and Hamilton in the town of Pleasant Valley in the county of Marquette, to Plover in Portage county, the whole distance being about seventy miles.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 7, 1850.

NELSON DEWEY.

Chap. 13. A memorial to Congress for a grant of land to complete the improvement of the Fox and Wisconsin rivers and of the Wisconsin river above the Winnebago Portage.

To the Honorable the Senate and House of Representatives of the United States.

This memorial of the senate and assembly of the State of Wisconsin respectfully represents :

That the improvement of the navigation of the Fox and Wisconsin rivers, is, and has been treated by the general government, as a work of national importance, to carry on which congress has heretofore granted to the state of Wisconsin the alternate sections within three miles of each bank of the Fox (or Neenah) river, which grant the state has accepted, and has entered on the work; but your memorialists represent that it is now evident that the fund which will be realized from the grant already made, will prove inadequate to the completion of the work of improving those rivers, and scarcely adequate to the proper improvement of the Fox river alone.

Your memorialists, also represent : That the improvement of the navigation of the Upper Wisconsin, at least so far as to admit the unobstructed descent of lumber rafts, flat boats, &c., is a work having a very natural and intimate connection with the one already spoken of, and one of vast importance to this state and the whole valley of the Mississippi river.

The lumber trade of Upper Wisconsin, alone, is a matter of very great importance. The amount of pine lumber manufactured annually on the Upper Wisconsin, exceeds fifty million feet, and is every year increasing. The value of that vast lumber product is diminished, as much as two dollars per thousand feet, in consequence of the expense incurred in running it over the various rapids on that river above Winnebago Portage, which sum, amounting in the aggregate to one hundred thousand dollars per

annum, would be entirely saved, and the lumber product of the state increased annually by that sum, if the navigation of that part of the Wisconsin river were improved, at an expense of not more than one hundred thousand dollars.

Your memorialists, therefore, pray your honorable body to make to the state of Wisconsin a grant of the odd numbered sections, for the distance of three miles upon each bank of the Wisconsin river, from the Winnebago Portage, to the Fox and Wisconsin rivers, next above the Beaulieux Rapids, in trust, that the state shall [sell] such lands and apply so much of their proceeds, as may be necessary, not exceeding the sum of one hundred thousand dollars, to the improvement of the navigation of the Upper Wisconsin river, and the balance to the completion of the improvement of the Fox and Wisconsin rivers, and will ever pray, &c.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor; and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

Memorial to Congress in relation to the establishment of a mail route.

Chap. 14.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The memorial of the senate and assembly of the state of Wisconsin in legislature assembled, respectfully sheweth :

That the interest and convenience of a large portion of country are concerned in the establishment of a tri-weekly mail route from Madison, via. Dane, Prairie du Sauk and Adams to Fort Winnebago.

Your memorialists further state that it would be a great benefit to the people residing through that portion of the state, many of whom are now nearly destitute of mail facilities, and the remainder are supplied in a very imperfect manner.

And your memorialists, are of opinion that the establishment of the proposed route would furnish mail facilities to the above named places much more cheaply than is now done by the various routes on which the mails are now carried, the whole distance not exceeding sixty miles.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

to the advantage, not only of ship owners, but to producers and consumers, as it will cheapen transportation as much as it increases the shipping ability, which will be five-twelfths of present means.

Your honorable body will observe, that what your memorialist call the valley of the lakes, embraces almost the entire wheat growing section of this country, and a respectable portion of the corn, pork and beef productions, the transportation of which would be essentially cheapened by the use of the channel which would ennure to the same extent to producer or consumer, and tend greatly to encourage and increase this species of trade; but especially would the wheat producer be benefitted by the constant enjoyment of a foreign market. With the use of the St. Lawrence, wheat from the lakes can successfully compete in the English market with the Black sea. Cleveland, Ohio, is more than a thousand miles nearer Liverpool than Odessa, the principal wheat mart on the Black sea, and even Chicago, Illinois, is nearer, and Illinois and Wisconsin wheat may go to Liverpool and sell against Black sea wheat. Freighting via. the St. Lawrence can be done as cheap from Illinois to Liverpool, as from Odessa.—Hitherto, and hereafter, under present embarrassments, the American wheat grower must patiently wait the exhaustion of the Black sea surplus, before he can enter the English market, and simply because an extravagant canal toll, freight and commissions, lie between the grower and the market. Open the channel, so that the same vessel that loads her cargo at Chicago, Milwaukee, Detroit or Cleveland, can proceed without breaking bulk, to Liverpool, and no wheat growing country in the world can drive lake wheat out of the English market, as your memorialist fully believe.

The advantages of this navigation to this valley are altogether too numerous to present in a memorial like this, and your memorialist will content themselves by saying that in the opinion of this legislature, no public measure could be desired that would so invigorate business, give confidence and energy to both agriculture and commerce, and enhance the value of property and labor, and increase the productions of the country, as the one herein suggested. Your memorialist, therefore, ask your honorable body, at the earliest practicable period, to take measures to procure the right of navigating the river St. Lawrence to the shipping of these lakes.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved, February 8, 1850.

NELSON DEWEY.

A memorial to Congress asking their early attention to the subject of granting bounty lands to the officers and soldiers of the war of 1812. Chap. 17.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The senate and assembly of the state of Wisconsin most respectfully solicit the passage of a law at your present session, granting bounty lands to the officers and soldiers who faithfully rendered essential service to the country during the war with Great Britain in the year A. D. 1812, which we deem only justice to so worthy a portion of our fellow citizens.

MOSES M. STRONG,

Speaker of the Assembly.

SAMUEL W. BEALL,

Lt. Governor and President of the Senate.

Approved February 8, 1850.

NELSON DEWEY.

A memorial to the Congress of the United States, in relation to the formation of a Western Judicial District of the Circuit Court of the United States, in the State of Wisconsin. Chap. 18.

The memorial of the Legislature of the State of Wisconsin respectfully represents:

That the daily increasing population of the state of Wisconsin, and the consequent augmentation of productive labor, commercial business, trade and political intercourse of the whole state, has rendered the establishing of a Western Judicial District of the United States Circuit Court, necessary to the exigencies and demands of the people.

That the location of the District Court of the United States for the State of Wisconsin, being at Milwaukee, on the extreme eastern part of the state, and more than two hundred miles from the Mississippi, on the extreme western part of the state, renders the attendance of parties, jurors and witnesses, at such court, coming from the western portion of the district, in a degree burthensome, very expensive, and at times and in instances, oppressive.

We, therefore, respectfully ask your honorable bodies that a law may be passed authorizing the erection of a Western Judicial District of the Circuit Court of the United States for the state of Wisconsin, to be composed of such selection of counties as by a line as nearly central in the state as possible, as may be deemed expedient.

MOSES M. STRONG,

Speaker of the Assembly,

SAMUEL W. BEALL,

Lt. Governor, and President of the Senate.

Approved, February 9, 1850.

NELSON DEWEY.

STATE OF WISCONSIN.

SECRETARY'S OFFICE, }
Madison, April 10, 1850. }

I hereby certify that the acts, resolutions and memorials contained in this pamphlet have been compared with the originals deposited in this office, and that they appear to have been correctly printed.

IN TESTIMONY WHEREOF. I have hereunto affixed the seal of the State of Wisconsin the day and year aforesaid.

L. S.

WM. A. BARSTOW,
Secretary of State

INDEX.

A.

ACADEMY —Act to incorporate at East Troy,	6
AMENDMENTS TO REVISED STATUTES —To chapter, “of wills of real and personal property,”	3
To chapter 131, title 29, section 5, relative to judges of probate & court commissioners,	3
To chapter 15, title 5, “of collection and return of taxes,”	7
To repeal chapter 29, relative to the sale of intoxicating drinks,	10
To amend chapter 59, relative to clerks of supervisors taking acknowledgement of deeds,	11
To chapter 16, title 6, relative to damages for laying out roads, &c.,	11
To amend chapter 126, section 16, relative to proceedings by writ of quo warranto,	11
To amend chapter 14, section 77,	11
To repeal chapter 131, section 3,	14
To amend certain chapters and sections,	18
To chapter 125, section 8, concerning writs of Mandamus,	20
To chapter 155, section 12,	20
AMENDMENTS To local acts, &c., to act incorporating the village of Sheboygan,	
To act incorporating Wisconsin Phalanx,	2
Supplementary to acts relating to Milwaukee and Waukesha rail road company,	2
To charter of Madison and Beloit rail road co.,	

AMENDMENTS	To re-establish act relating to road from Burlington to Delavan,	50
	To charter of village of Madison,	53
	To charter of Madison and Oconomewoc plank road co.,	61
	To charter of village of Mineral Point,	65
	To charter of Milwaukee and Beaver Dam plank road co.,	74
	To charter of Milwaukee and Janesville plank road co.,	103
	To charter of Milwaukee and Lisbon plank road co.,	107
	To charter of town of Potosi,	113
	To charter granted to N. H. Strong and others, to maintain a ferry across Fox river,	123
	To repeal certain sections of charter of the village of Geneva,	125
	To amend act authorizing the construction of a bridge across Nepasink Lake,	141
	To charter of Neenah and Manitowoc plank road co.,	158
	To act authorizing the construction of a dam across Rock river,	170
	To charter of Madison and Beloit rail road co.,	175
	To act dividing the county of Racine and erecting Kenosha county,	175
	To act relative to assessment and taxation of personal property,	214
	To charter of Merchants Mutual Insurance co.,	219
	To act relative to improvement of Fox and Wisconsin rivers,	222, 226
ANNEXATION —	Part of Brown co. to Manitowoc,	138
APPLETON —	Part of village plat vacated,	65
APPROPRIATIONS —	Alden & Holt, newspapers,	195
	To Atwood & Buck for newspapers,	182
	Burns, Timothy, locating state lands,	7
	Brown, Beriah, publishing laws, &c.,	69
	Burdick, E., for territorial bonds,	102
	Brigham, J. R., fees as clerk supreme court,	148
	Brown, J. A., newspapers, &c.,	166, 182
	Brown, Beriah, do.,	167
	Burris, Martin V., lost scrip,	181
	Bliss, G. W. newspapers,	182
	Booth, S. M., do.,	195
	Bunner & Stafford, do.,	199
	Bird & Mills, do.,	213
	Chapin, Lyman, locating lands,	46
	Clement, C. C., newspapers,	168
	Campbell, B. H., candles, &c.,	192
	Carey, J. & W. H., clothing for state prisoners,	12
	Cramer & Curtis, newspapers,	196
	Chief clerk of Assembly,	199
	Dean, E. B., territorial scrip,	202
	Delany & Wright, newspapers,	198
	Dickson, D. T., public printing for 1849,	48

APPROPRIATIONS—To	D. T. Dickson for incidental for 1850,	203
	Dunn, Chas. Jr., services as librarian,	132
	Davis, F. F., boarding state prisoners,	46
	Densmore & Cooley, newspapers,	195
	Expenses of legislature for the year 1850,	45
	Fairchild, J. C., postage of office,	41
	Fratney & Hertzberg, printing,	198
	Greves, Jas. P., medical services,	12
	Giddings, James, locating lands,	46
	Governor, for divers incidental expenses,	178
	Hatch, Allen W., medicines for state prisoners,	13
	Hutchinson, J., costs in certain suit,	69
	Henry, W., transcripts furnished state,	69
	Holt, David Jr., postage,	147
	Hyer, George, newspapers,	167
	Hadley, J. A., do.,	167
	Henning, B. S., do.,	192
	Hull, Wm., services as clerk,	199
	Iowa County, arrearage taxes,	4
	Johnson, D. N., services as clerk,	199
	Johnson, assistant do.,	199
	King & Fuller, for newspapers,	213
	Knowlton, W., laying out certain road,	170
	Lord, Rev. C., services as chaplain in 49 & 50.,	149, 197
	La Due, A. D. & J., newspapers,	168
	Lapham, I. M., for engraving,	47
	Legislature, members of, mileage and per diem,	45
	Morrison, Jas., postage &c.,	3, 213, 225
	Mileage of members,	45
	Mills, Simeon, warrant No. 324,	53
	Mitchell, Alex., interest on bonds,	67
	do do in full for certain scrip,	202
	Matts, P. W., services as sheriff,	211
	Milwaukee co., for certain printing,	211
	Ogden, E. F., for territorial scrip,	211
	Penman, Rev. J., services as chaplain,	125
	Racine county, board of prisoners,	212
	Rice, Romanzo B., keeping prisoners,	11
	Richards, Jackson, do do.,	12
	Rice, L. T., guarding prisoners,	13
	Reed, Rev. H. W., services as chaplain in 1849,	48
	Rice, Ransom, boarding prisoners,	67
	Ream, R. L., recording appraisal of school lands,	69
	Reymert, J. D., for printing,	72
	Rathbone, Joel, interest on bond,	131
	Ream, R. L., services as clerk,	148
	Robinson & Brother, newspapers, &c.,	166
	Rood & Whitmore, stationery,	185
	Ryan, Samuel, Jr., for newspapers,	195
	Rickey, J. R., medicines furnished prisoners,	196

APPROPRIATIONS—To Smith, W. R., sala.y as Adg't; Gen., & as clerk, 3, 199
 Slaughter, G. H., furnishing plats of lands, 24
 Sholes, C. L., printing, 112
 Shoefler & others, printing, 131
 Shields & Sneed, goods furnished, 146
 Smith, Rev. Edward, services as chaplain, 149
 Seaver & Hurley, newspapers, 166
 Superintendent, contingent expenses for 1849, 149, 201
 Seaton, J. W., printing, 192
 Shrader, L. O., fees in certain suits, 212
 Travis, D. B., locating lands, 132
 Taylor, S. H., newspapers, 196
 Tenney, Smith, Holt, & Co., newspapers, 197
 Utter, E. R., for newspapers, 195
 Waukesha county, board of prisoners, 197
 Wood, Mathew, boarding prisoners, 47
 Williams, Rev. John, services as chaplain, 170
 Yates, Jerome, locating lands, 148

ARDENT SPIRITS—Act relative to the sale of, 109

ARMSTRONG, WM.—Authorized to keep ferry; 105

ARCADE—Name of village of, changed, 201

ASYLUMS—Act to incorporate Orphan, 33
 Act to incorporate Blind, 172

ASSESSMENTS—Of property, personal, act relative to, [See taxes,] 214

ASSOCIATIONS—Act to provide for the incorporation of Mutual; Savings; Trust, Loan, and Building, 184

ATTORNEY GENERAL—Act to pay salary of, 24
 Contingent fund for, 142

AZTALAN—Proceedings of school district No. 4, in town of, legalized; 28

B.

BELOIT—Act relative to Union school district No. 1, in town of, 10
 Act relative to locating school house in same district, 29
 Town of, authorized to borrow money to build a town house; 171

BLIND ASYLUM—Act to incorporate, 172

BOARD OF PUBLIC WORKS—To report annually to Governor, 6
 Treasurer of, to account in a certain case, 23
 Authorized to construct draw bridge across Portage canal, 48
 Acts relative to improvement of Fox & Wisconsin river amended &c., 222, 226

BRIEN, ALBERT B.—Authorized to enter certain lands, 72

BRIDGES—Acts to authorize the construction of, across Fox river at Omro, 38
 Across Fox river at head of lake Butte de Morts, 40
 Across Fox river at Algoma, 42
 Across Fox river at Hamilton, 44
 Across south branch of lake Winnebago at Neenah, 50
 Across Fox river at Appleton, 64
 Across Fox river at Oshkosh, 70

BRIDGES —Across Fox river on section 24, town 16, range 11 east,	78
Across outlet of Winnebago lake,	108
Across Fox river at Strongsville,	123
Across Nepasink lake,	141
Across Wisconsin river near mouth of Dell creek,	146
BROWN COUNTY —Act relative to place of holding county court in,	45
BUILDING ASSOCIATIONS —Act for the incorporation of	184

C.

CALUMET —Act to refund certain taxes to county of	11
To organize county for judicial purposes,	52
Town of, in Fond du Lac co., sup't. authorized to receive and distribute certain monies,	103
CANVASSERS —Commissioners clerk authorized to call board of,	220
CANAL —Act to incorporate the Swan lake and Pardeville,	144
CANAL Co. —Act to sell States' interest in Milwaukee & Rock river,	157
CANAL RECEIVER —Settlement authorized with, at Milwaukee,	73
COUNTY SEAT —Act relative to in La Fayette co.,	14
Electors authorized to vote on, in Winnebago co.,	138
Act relative to, in Washington co.,	75
Act relative to, in Columbia co.,	216
COUNTIES DIVIDED —Brown co., and a portion annexed to Manitowoc, Racine co., and Kenosha created,	138
Portage co., and Marathon erected,	25
	180
CIRCUIT —See "Court"—"Judges,"	
COURTS —Act to change the terms of in the second and third circuit,	5
Changing January term of Supreme,	35
In Brown co., county court to be held at some place as circuit,	45
Changing place of holding county courts in Racine,	82
To organize in La Pointe county,	126
Acts to amend law concerning county courts,	155
Act to organize the sixth judicial circuit,	214
COURT COMMISSIONERS —Powers of Judge of Probate conferred on,	35
COLBURN, THOS. M. —Name changed to Peek,	107
COLUMBIA Co. FEMALE SEMINARY —Act to incorporate,	49
CLERK OF SUPERVISORS —Authorized to take acknowledgement of deeds,	111
CONTINGENT FUND —Act to provide for Governor,	133
For Secretary of State,	142
For State Treasurer,	142
For Attorney General,	142
For State Superintendent,	142
COX, JOSHUA F. —Water power at Deperes secured to,	223
CLERKS —Of supervisors, authorized to call board of canvassers,	220
COLUMBIA Co. —Act to locate county seat of,	216
COMMISSIONERS —State officers created a board of, and duties relative to keeping state prisoners,	225

D.

DANE Co.—Treasurer of State authorized to credit certain monies to	16
DAM—Construction of, authorized across Rock river,	69
Across Manitowoc river,	79
Across Fox river in Racine co.,	81
Across Grand river in Marquette co.,	150
Amendment to act authorizing construction of, across Rock river,	170
DEPERE, CHAS.—Name changed,	13
DELEVAN—School district No. 1, in town of, authorized to levy tax,	124
DOGS—Act to restrain, while running at large,	227

E.

EAGLE—Treasurer of School district No. 3, in town of, authorized to collect certain taxes,	139
EAST TROY—Act to incorporate Academy in,	67
ELECTIONS—Of Circuit Judges, act to provide for,	105
Of county officers in La Pointe co.,	125
Of county judge in Winnebago co.,	139
Of judge in sixth judicial circuit,	214
ERROR, WRITS OF—Act limiting, &c.,	156
EXPENSES—Of legislature, act to pay,	45
Of state, contingent fund,	133

F.

FERRIES—Authorized across Wisconsin river, on sec. 7, town 12, range 9, east,	105
Across lake Puckaway, at the village of Marquette,	106
Act authorizing N. H. Strong to keep across Fox river, repealed,	123
Authorized across Wisconsin river at Westfield, Sauk co.,	215
Authorized across Wisconsin river at Dekora,	221

G.

GENEVA—Charter of village of, amended,	125
GLOBE INSURANCE Co.—Act to incorporate,	217
GOVERNOR—Act to pay salary of,	23
To provide contingent fund for,	133
To provide block for Washington Monument,	149
Duties as commissioner to provide for safe keeping of state prisoners, &c.,	225
GRAFTON—School district No. 1, in town of, authorized to renew tax warrant,	177

H.

ZLE GREEN—Act relative to highway tax in town of,	28
---	----

HOMESTEAD—Of Orphans, exempted, &c., 159

I.

IMPROVEMENT Co.—Act to charter Upper Wisconsin Navigation, 203
IMPROVEMENT—Public—See "Board of Public Works."
INDIANS—Sale of ardent spirits to, in La Pointe co. prohibited, 71
INSURANCE Co.—Act to re-print charter of Milwaukee Mutual, 17
 Act to provide for the incorporation of, 186
 Act to incorporate "Globe" co., at Southport, 217
 Amendment to charter of Merchants Mutual, 219
INSTITUTE—Act to incorporate for the education of the Blind, 172

J.

JANESVILLE—Tax in school district No. 7, town of, legalized, 104
 Blind Asylum located at village of, 173
JEFFERSON—Proceedings of school district No. 7, in town of, legalized, 28
JUDGES—Act to pay salary of, 24
 To provide for the election of, 105
 To provide for the election of in sixth circuit, 214
 To provide for the election of, in Winnebago co., 139
JUSTICES—Act to give criminal jurisdiction to, in 5th ward, Milwaukee 223

K.

KENOSHA—City of, incorporated, 83
 Act to erect county of, 25
 To amend act to erect county of, 175
KINNEY, MARY—Act to rest title to certain lands in, 22
KOSHKONONG—Act to provide for the assessment and collection of taxes
 in town of, 4

L.

LA FAYETTE Co.—Act to settle question of county seat of, 14
LA POINTE Co.—Sale of ardent spirits to Indians residing in, prohibited, 71
 Citizens of, authorized to hold election for co. officers, 125
 Court organized in, 126
LAWs—Re-print of charter of Milwaukee Mutual Fire Insurance com-
 pany, ordered, 17
LANDS—Of University, minimum price established, 144
 Act for the appraisal &c., of the 500,000 acres belonging to state, 193
LIBRARIAN—Act to pay salary of, 24
LIQUORS—Act relating to sale of, 109
 Act relative to, in La Pointe co., 71
LISBON—Proceedings of Superintendent in town of, legalized, 39
LOAN—Of school funds to State University authorized, 151
LOAN ASSOCIATIONS—Act for the incorporation of, 184

M.

MARRIED WOMEN —Act for the protection of,	29
MADISON —Time extended to collect taxes in town of,	33
MARQUETTE —Part of village plat of, vacated,	59
Register of county of, authorized to copy records from Brown county,	169
MAPS —Secretary of State authorized to procure certain,	171
MASONS, FREE —Act to incorporate societies of,	36
MAYVILLE —Plat of village of, legalized,	75
MANITOWOC Co. —Part of Brown county annexed to,	138
MARATHON —County erected,	180
MCCOY, MARY C. —Act to vest title to certain lands in,	22
MEMOMONEE —Proceedings of superintendent of town of, legalized,	39
MEMORIALS —To the Post Master General relative to certain mail routes,	231
To Congress, relative to establishing mail routes in Rich- land county, &c.,	231
To Congress, relative to a survey of Menomonee purchase and for the right of pre-emption to settlers,	232
To Congress, for a grant of land to aid the construction of the Milwaukee & Mississippi rail road,	233
To Congress, asking an appropriation for a harbor at Port Washington,	238
To Congress, for an appropriation to improve the harbor at the mouth of the Manitowoc river,	234
To Congress, in relation to certain mail routes in the counties of Walworth, Rock, Jefferson, & Dane,	234
To Congress, in relation to a mail route from Waukesha to Washington county,	235
To Congress, for a light house at Port Uloa,	235
To Congress, for an appropriation for a harbor at Twin Rivers,	236
To Congress, for a grant of land to aid the Manitowoc & Neenah plank road company,	237
To Congress, for the establishment of a mail route from Fox lake to Plover Portage,	238
To Congress, for a grant of land to improve the Fox and Wisconsin rivers above Winnebago Portage,	238
To Congress, for the establishment of a mail route from Madison to Fort Winnebago,	239
To Congress, to increase service on mail route No. 4480,	240
To Congress, in relation to the navigation of the St. Law- rence river,	240
To Congress, asking attention to granting bounty lands to officers and soldiers in the war of 1813,	243
To Congress, asking the formation of a western judicial district of the circuit court of United States, in the state of Wisconsin,	243
MINERSVILLE —Name of village changed,	6
MILWAUKEE —Act relative to taxes in,	9

INDEX.

MILWAUKEE —Act relative to taxes in, &c.,	10
Wharf authorized to be constructed in city of,	43
To provide for the election of certain city officers,	104
Act to dispose of States' interest in water power in,	157
Act giving criminal jurisdiction to justices in certain cases in fifth ward,	223
Act authorizing the levy of a special tax in,	224
MILEAGE —Act to pay members of legislature,	45
MINERAL POINT —Charter of village of, amended,	65
MONTECELLO —Town of, organized,	59
MONUMENT —Block of marble or granite authorized to be procured for, Washington, &c.,	149
MUTUAL ASSOCIATIONS —Act to incorporate,	184

N.

NAMES CHANGED —Village of Minersville to Maddins Addition to Dodgeville,	6
Village of Rochester to "Sheboygan Falls,"	30
Village of Fox Lake to "Waushara,"	103
Village of Arcade, to Brooklyn,	201
Chas. Depere to Chas. Depere Knapp,	13
Eliza C. Wyman to Eliza C. Brooks,	24
Daniel B. Pecker, to Daniel B. Packer,	78
Thomas M. Colburn to Thomas M. Peck,	157
NAVIGATION IMPROVEMENT CO. —Act to incorporate,	203
NEW BEBLIN —Act relative to taxes in town of,	25
Proceedings of school district No. 4, in town of, legalized,	38

O.

ODD FELLOWS —Act to incorporate societies of,	36
ORPHAN ASYLUMS —Act for the incorporation of,	33
ORPHANS —Homesteads of, exempt.	159
ORGANIZATION —Of towns in cases of failure or neglect,	143

P.

PATENTS —Act to provide for the recording of,	31
PALMYRA —Town of, authorized to renew a tax warrant,	33
PECKER, D. B. —Name changed to Packer,	78
PHALANX WISCONSIN —Charter of, amended,	23
PLANK ROADS —Racine and Rock river, authorized to extend branch to Geneva,	40
Building of, authorized across "Big Marsh," at Lake Butte des Morts,	40
Incorporated from Manitowoc to Manitowoc Rapids,	55
Charter of Madison and Oconomowoc, amended,	61
Charter of Milwaukee and Beaver Dam, amended,	74
Charter of Milwaukee and Janesville, amended,	103

PLANK ROADS —Continuation of Lisbon and Milwaukee, authorized,	107
Incorporated from Milwaukee to Fond du Lac,	117
Incorporated from Two Rivers to Green Bay,	126
Manitowoc and Calumet company incorporated,	133
Charter of Neenah and Manitowoc, amended,	158
Incorporation from Sheboygan to Mayville,	160
To incorporate Fort Winnebago and Duck Creek co.,	207
Act authorizing to borrow money,	222
PRISONERS —Act relative to safe keeping of, &c.,	225
PRE-EMPTIONS —Act relative to, on school lands,	193
POTOSI —Charter of village of, amended,	113
PORTAGE COUNTY —Act to divide, and erect Marathon county,	180
PUBLIC WORKS —Board of, to make annual report to governor,	6
Treasurer of board of, to account for certain monies,	23
Board of, to construct draw-bridge across Portage canal,	48
Act to amend act relative to improvement of Fox and Wisconsin rivers,	222, 226

Q.

QUO WARRANTO —Amendment to Revised Statutes, relative to proceedings in	112
--	-----

R.

RACINE COUNTY —Act to change the place of holding courts in,	82
To divide county of,	25
Amendment of act to divide county of, &c.,	175
RAIL ROADS —To amend charter of company from Milwaukee to Beloit,	42, 175
To amend charter of Milwaukee and Waukesha co.,	32
To incorporate the Shullsburgh branch road,	114
To incorporate Madison and Kenosha road,	151
RESOLUTIONS —Relative to certain monies due from the U. S. to Wis.,	229
Relative to a survey of the Upper Wisconsin river,	229
REVISED STATUTES —See "amendments and statutes revised."	
RECEIVER OF CANAL LANDS —Settlement authorized with,	73
REED, HARRISON —Authorized to enter certain lands,	72
REGENTS OF UNIVERSITY —To make annual report to governor,	6
REPORTS —State officers to make, to governor,	6
RE-PRINT —Act to, charter of Milwaukee Mutual Fire Insurance co.,	17
RICHLAND —County of, organized,	60
ROADS LAID OUT —Act to authorize from Franklin, Iowa co., to town 10, range 5, Crawford co.,	7
From Richmond to Springville,	30
From Fox Lake to Marquette,	39
From Hortonville to Grignon,	41
From Waukesha to Whitewater,	51
From Sheboygan to Madison,	73
From Buffalo Lake to Plover,	80

ROADS LAID OUT —From Manitowoc Rapids to Manasha,	81
From Dodgeville to mouth of Dell Creek,	106
From Plymouth to Manchester,	123
From Waupun to Oshkosh,	124
From Hamilton to the Dells,	140
From Wycocena to La Crosse,	140
From Prairie la Crosse to Shaurette,	140
From Falls Black river to the upper mills on the Lem- onwoir,	140
From Burlington to East Troy,	141
From Albany, Green co., to Quivey's, in Dane co.,	142
From town 13, range 19, Washington co., to any point in Fond du Lac co.,	144
From Adams to the Dells,	157
From Prairie du Sac to Reedsburgh,	159
From Green Bay to Wausau,	176
From Shaurette to Green Bay,	224
ROADS —Act authorizing plank and turnpike, to borrow money,	222
ROADS RE-ESTABLISHED —From Burlington to Delevan,	50
ROADS, PLANK —(See "Plank roads.")	
ROADS, LEGALIZED —From Waupun to Fox river bridge,	15
From Newark to Fond du Lac,	79
ROADS —Damages for laying out, &c.,	112
State declared not liable to pay for laying out, &c.,	172
ROCHESTER —Name of village of, changed to Sheboygan Falls,	30

S.

SALARIES —Act to provide for state officers,	23
SAUK COUNTY —Act refunding certain taxes to,	108
SAVING ASSOCIATIONS —Act to incorporate,	184
SCHOOL MONIES —Act to apportion, for the year 1850,	37, 169
Superintendent of town of Calumet authorized to re- ceive certain	103
SCHOOL HOUSE —Act relative to location of, in district No. 1, town of Beloit,	29
SCHOOL LANDS —Act for the appraisal and sale of 500,000 acres,	193
SCHOOL DISTRICTS —Proceedings of, legalized in towns, of Jefferson and Aztalan,	28
In town of New Berlin,	38
In Lisbon and Menomonee,	39
Act relative to, in town of Beloit,	10
Towns of Sullivan and Palmyra authorized to re- new tax-warrant,	34
Certain districts in towns of Granville and Milwau- kee authorized to make report,	74
District No. 1, in Delevan authorized to raise tax,	124
SECRETARY OF STATE —Act to pay salary of,	24
Contingent fund provided for,	142
Authorized to procure certain maps,	171

SECRETARY OF STATE —To make annual report to governor,	6
Duties, as commissioner to provide for safe keep- ing of prisoners,	225
SEMINARY —Female, incorporated in Columbia county,	49
SHEBOYGAN —Charter of village of, amended, &c.,	8
County of, act relative to the erection of buildings,	54
SHEBOYGAN FALLS —Name of, restored,	30
SOUTHPORT —Part of Pearl street in village of, vacated,	104
STATE —How suits brought against,	199
Act to sell interest of, in Milwaukee and Rock river canal,	157
STATE ROADS —State declared not liable to pay for laying out, &c.,	172
(See Roads.)	
STATUTES REVISED —Act to amend act "of wills of real and personal property,"	31
Amendments to relative to judges of probate and court commissioners,	35
Amendment relative to fees of town treasurers in certain cases,	71
To repeal chapter 29, relative to sale of intoxica- ting drinks, &c.,	109
To amend chapter 59, relative to acknowledgment of deeds, &c.,	111
To amend relative to damages for laying out roads, &c.,	112
To amend, relative to proceedings in quo warranto,	112
To amend chapter 16, section 77,	113
To repeal section 3, chapter 131,	147
Amendments to,	183
To amend chapter 124, section 8, relative to suits of mandamus, &c.,	201
To amend chapter 155, section 12,	203
SUITS —How to be brought, &c.,	199
SUPERINTENDENT —Of state, act to pay salary of,	24
Contingent fund provided for,	142
Contingent expenses of, for 1849,	160
Certain duties of, defined,	160
To report to governor,	6
To pay travelling expenses of, for 1849,	201
Of town of Beloit, proceedings of, legalized,	29
SULLIVAN —Town of, authorized to renew tax warrant,	34
SUPERVISORS —Clerks of boards of, authorized to canvass certain votes,	220

T.

TAXES —Acts relative to in town of Koshkonong,	4
Relative to, in Milwaukee,	9, 10
To refund certain to, in Calumet county,	11
Relative to, in town of New Berlin,	25
Relative to, in Hazle Green,	28
Time for collecting, extended in town of Madison,	33

INDEX.

13

TAXES —To legalize certain, in town of Janesville,	104
To credit certain, to Sauk county,	108
School district No. 1, in town of Delevan authorized to raise,	124
School district No. 3, in town of Eagle, authorized to collect, &c.,	138
How collected where towns fail to organize,	147
Time for collecting, extended in town of Windsor,	177
To provide for levying, for state,	174, 178
To refund certain, to Dane county,	16
Act relative to assessment of, on personal property,	214
Act to levy special, in Milwaukee,	224
TEMPERANCE —Sons of, act to incorporate,	36
THISTLE —Canada, act to prevent spread of,	16
THAYER, J. W. —Proceedings as superintendent legalized,	29
TOWNS —Monticello, in LaFayette county, organized,	69
Proceedings when towns fail to organize,	143
TOWN HOUSE —Beloit, town of, authorized to make a loan to build,	171
TITLE —Act to vest, to certain lands in Mary Kinne and Mary McCoy,	22
TREASURER —Of state, to make annual report to governor,	24
Act to pay salary of,	142
Contingent fund provided for,	225
Of towns, to reduce fees of	71
TROY, EAST —Act to incorporate academy at,	67
TRACT ASSOCIATIONS —Act for the incorporation of,	184
TUSKOLA —Act relative to organization of county of,	75
TURNPIKE —See "Roads," and "Plank Roads."	

U.

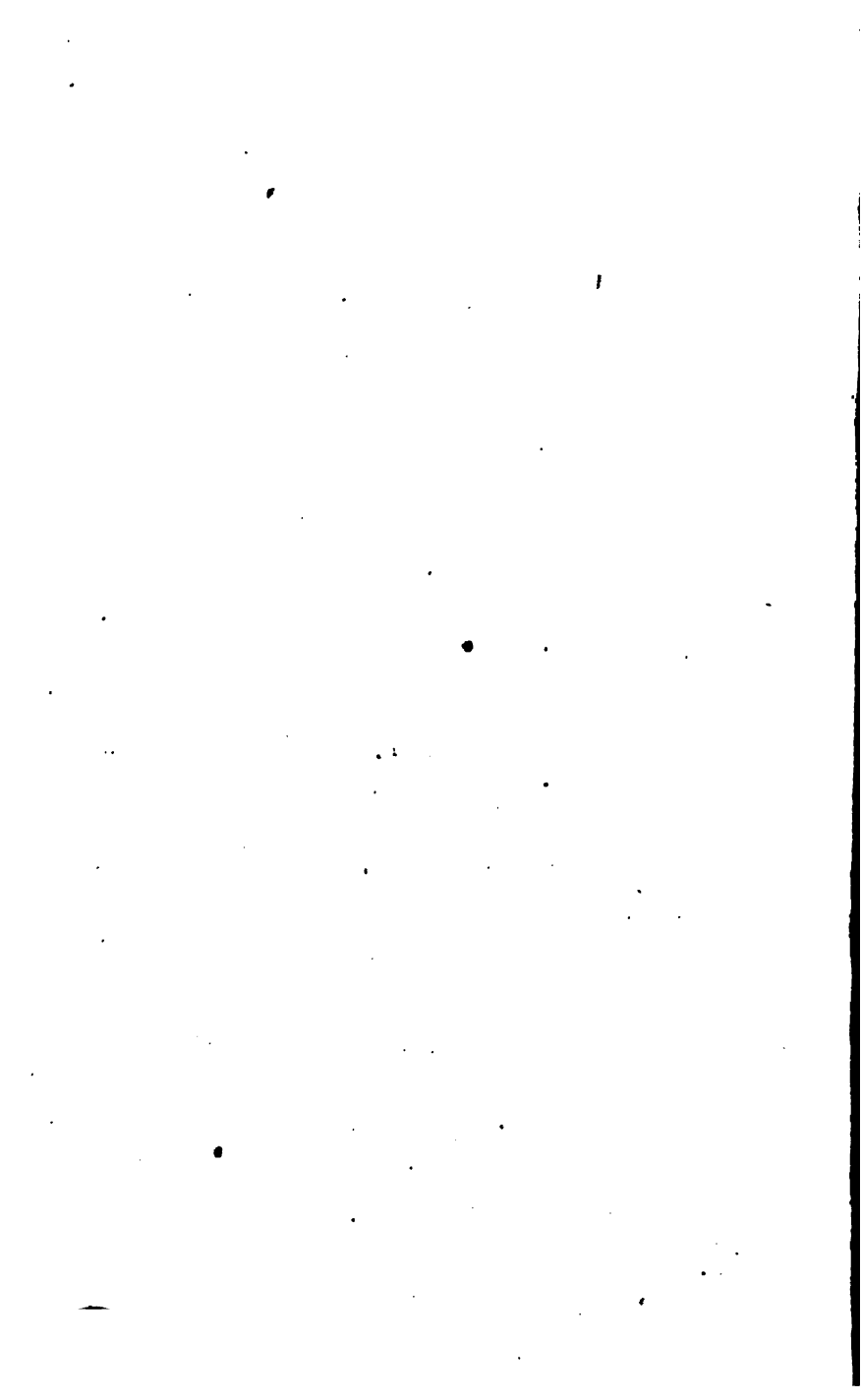
UNIVERSITY —Of state, regents of, to report to governor,	6
Minimum price of lands of, established,	144
Loan of school fund to,	155

V.

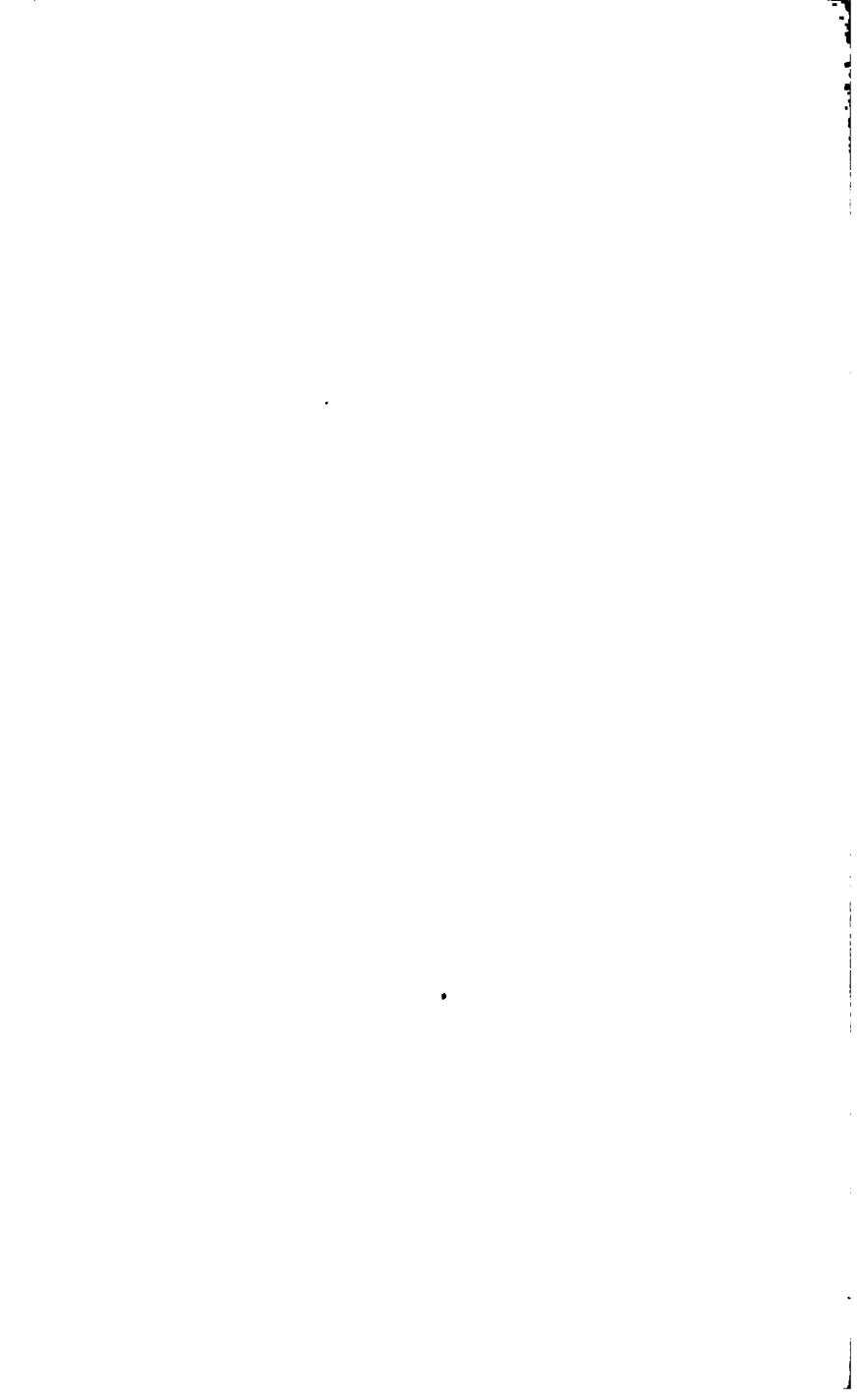
VAULT —Fire proof, to be erected in capitol,	142
---	-----

W.

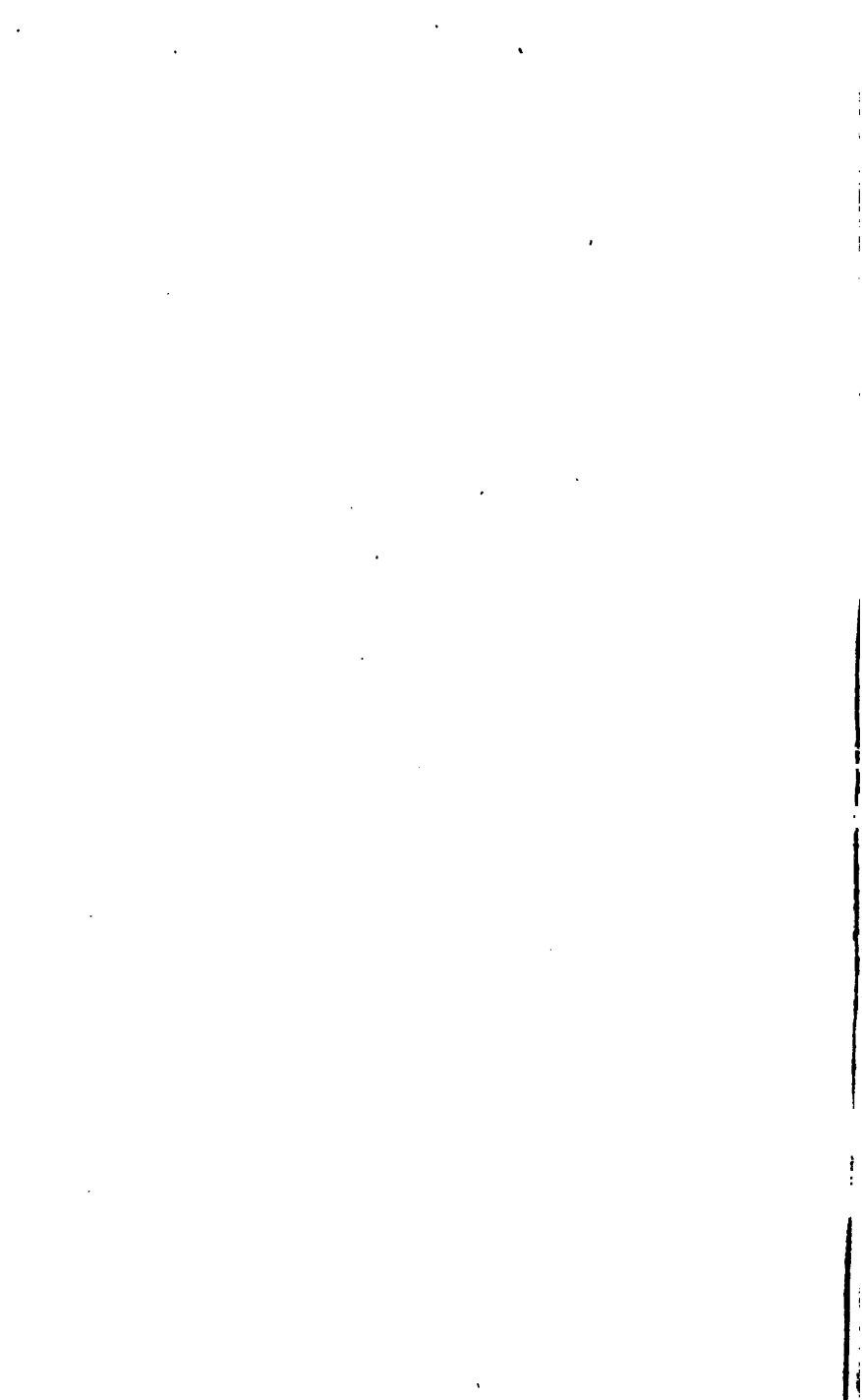
WASHINGTON —County of, act to divide and locate county seat,	75
WATER POWER —Grant of right to J. F. Cox, at Depere,	223
WHARFS —Erection of certain, authorized in Milwaukee,	42
WISCONSIN PHALANX —Charter of, amended,	23
WISCONSIN IMPROVEMENT Co. —Act to incorporate,	203
WILLS —Act relative to,	31
WINNEBAGO Co. —Act relative to locating county seat of,	138
Providing for the election of county judge,	139
WOMEN —Married, act for the protection of,	29
WRITS —Of error, act relative to,	156











Stanford Law Library



3 6105 063 434 869